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NATIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476....

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS.

DECEMBER 19, 1918

WASHINGTON
GOVERNMENT PRINTING OFFICE
1918

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman*.

C. F. REAVIS, Nebraska.	PAT HARRISON, Mississippi.
JOSEPH WALSH, Massachusetts.	E. W. SAUNDERS, Virginia.
E. E. BROWNE, Wisconsin.	T. H. CARAWAY, Arkansas.

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Thursday, December 19, 1918.

Proceeding of a special committee of the House of Representatives, appointed to investigate the National Security League, under authority of House resolution 469 and House resolution 476, Sixty-fifth Congress, Third Session.

The committee met at 10.15 o'clock a. m., Hon. Ben Johnson (chairman), presiding.

Mr. JOHNSON. The committee will come to order.

I will place in the record the resolutions under which the committee is acting:

[House Resolution 469.]

Resolved, That a committee of seven Members be appointed by the Speaker of the House to investigate and make report as to the articles of incorporation, the officers, agents, and employees, membership, financial support and names of contributors, expenditures, general character, activities, and purposes of the National Security League, a corporation of New York, and of any associated organization, that purport to be organized or engaged in or have been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year of nineteen hundred and eighteen.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by said organizations, and if so by whom, and upon what information, testimony, or record, and it shall ascertain whether said organizations have complied with the provisions of law in the filing of expense accounts; and for such purposes it shall have power to send for persons and papers and enforce their appearance before said committee and to administer oaths; and the said committee or any subcommittee thereof shall have the right to sit at such times and places, in or out of the city of Washington, as the committee may deem advisable, and shall have the right to report at any time.

[House Resolution 476, Sixty-fifth Congress, third session.]

Resolved, That all expenses that may be incurred by the special committee under House Resolution 469, adopted December tenth, nineteen hundred and eighteen, authorizing said special committee to make certain investigations set out in said resolution, to an amount not exceeding $25,000, shall be paid out of the contingent fund of the House of Representatives on vouchers authorized by the committee, signed by the chairman thereof, and approved by the Committee on Accounts, evidenced by the signature of the chairman thereof.

Also, that the committee be, and hereby is, authorized to have done such printing and binding, as, in the opinion of the committee, may be necessary; and also, that the committee may sit during sessions of the House.

Mr. Lydecker, please give the stenographer your name and place of residence.

STATEMENT OF CHARLES E. LYDECKER, PRESIDENT OF THE NATIONAL SECURITY LEAGUE, 11 EAST EIGHTY-FIRST STREET, NEW YORK CITY.

The witness was sworn by Mr. Johnson.

Mr. JOHNSON. What is your occupation?

Mr. LYDECKER. Lawyer; No. 2 Rector Street, New York City.

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Mr. JOHNSON. I understand you are the president of the National Security League?

Mr. LYDECKER. I am.

Mr. JOHNSON. When did you become president?

Mr. LYDECKER. I think it was on the 26th day of June.

Mr. JOHNSON. Of this year?

Mr. LYDECKER. Of this year.

Mr. JOHNSON. Who was your predecessor at president of that organization?

Mr. LYDECKER. S. Stanwood Menken.

Mr. JOHNSON. Can you give his address?

Mr. LYDECKER. Thirty-four West Fifty-second Street, New York City; and 52 William Street, the office. Beck, Thilbun, and Menken, 52 William Street.

Mr. JOHNSON. Was he the first president of the league?

Mr. LYDECKER. Yes, sir; and was followed by Mr. Bacon, and then by himself again, and then by me.

Mr. JOHNSON. What are your duties as president?

Mr. LYDECKER. May I refer to a copy?

Mr. JOHNSON. You can refer to anything you wish, sir.

Mr. LYDECKER (continuing). To a copy of the by-laws?

Mr. JOHNSON. Just here will you file a copy of your by-laws with the committee?

Mr. LYDECKER. I now file a copy of the by-laws of the National Security League.

The paper referred to follows:

BY-LAWS OF THE NATIONAL SECURITY LEAGUE (INC.).

OFFICERS OF THE NATIONAL SECURITY LEAGUE.

Honorary president: Joseph H. Choate.
Honorary vice president: Alton B. Parker.
President: Robert Bacon.
Vice presidents: S. Stanwood Menken, George Wharton Pepper, Eric Fisher Wood, George von L. Meyer, Willet M. Spooner, Luke E. Wright.
Secretary: Herbert Barry.
Treasurer: E. H. Clark.
Board of directors: Charles E. Lydecker (chairman), Franklin Q. Brown, H. H. Chamberlin, C. Willing Hare, W. C. Church, H. B. Harris, Chase Mellen, Lawrence Abbott.
Executive committee: S. Stanwood Menken (chairman); John F. Stevens, New York; Ralph D. Mershon, New York; William H. Wiley, New York; G. Creighton Webb, New York; Henry A. Wise Wood, New York; Raymond B. Price, New York; Arthur Woods, New York; Robert P. Perkins, New York; Robert L. Bacon, New York; Karl H. Behr, New York; Evan Hollister, New York; Alexander Laughlin, Pennsylvania; Percy H. Clark, Pennsylvania; George M. Brown, Missouri; D. J. Haff, Missouri; Philip B. Stewart, Colorado; Osborne A. Day, Connecticut; Guy Murchie, Massachusetts; August H. Vogel, Wisconsin; W. H. Hobbs, Michigan; John Grier Hibben, New Jersey.
Executive secretary: Henry L. West.
Branch director, Mrs. A. J. George.

I. NAME.

This corporation shall be called the National Security League (Inc.).

II. OBJECT.

The league is established to promote patriotic education and national sentiment and service among the people of the United States, and to promote recog-

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nition of the fact that the obligation of universal military service requires universal military training, as more at large set forth in its certificate of incorporation.

III. MEMBERSHIP AND DUES.

(a) All those who were enrolled as members of the league prior to its incorporation on January 7, 1915, and have continued in good standing up to the date of adoption of this by-law; and those who shall have been enrolled and remain in good standing in the league or any of its branches heretofore organized are members of this corporation. On and after April 2, 1916, any citizen of the United States may become a member of the league upon election by the executive committee of the league or by any branch and the payment of the dues prescribed for the class of members in which he or she enrolls.

(b) Regular members shall pay annual dues of $1; regular contributing members shall pay annual dues of $5; life members shall pay a fee of $25; and founder members shall pay a fee of $100, and both shall forever be exempt from annual dues; associate and service members shall pay annual dues in such amount not less than 10 cents in any branch as the executive committee of such branch may prescribe.

(c) Branches shall be created and organized by and with the authority of the executive committee. The form of organization, the by-laws, and all proceedings shall be subject to approval of the executive committee. The executive committee shall arrange for the organization of divisions, which shall include the branches in a State or States or other convenient geographical division for the purpose of representation and such other use as such divisions may find to be in the interest of the league, under such names as the branches may give to their divisions. Pending action by the executive committee the branches in each State shall constitute a division.

IV. GOVERNMENT AND ORGANIZATION.

(a) *Directors.*—The directors shall be chosen at the annual meeting of the league by the votes of the delegates at such meeting as herein provided.

The directors shall meet on call of the president, or three or more members of the board may require a meeting to be called by the secretary.

The directors, in addition to their functions as members of the executive committee and elsewhere provided for in these by-laws, shall have the power, by resolution adopted by a majority vote of all their number, to require any decision or action of the executive committee to be submitted to a meeting of the league for approval or disapproval, and in such event no further proceedings shall be had pursuant to such decision or action of the executive committee until approved by resolution passed at a meeting of members so to be held.

(b) *Officers.*—The national officers of the league shall be a president, not more than seven vice presidents, a secretary, and a treasurer, all of whom must be members of the league, but need not be directors thereof.

At the annual meeting the league may elect an honorary president and one or more honorary vice presidents.

The national officers shall be elected at the annual meeting of the league by the votes of the delegates at such meeting as provided for the election of directors. Officers shall hold office for one year and until their successors are elected and qualify. An executive secretary shall be appointed by and may be removed at any time by the executive committee.

The president may from time to time, with the consent of the executive committee, appoint one or more assistants to the secretary and treasurer who may respectively perform any part of the duties of the office in the place of said secretary and treasurer. The respective officers shall have such powers and shall perform such duties as are prescribed by law for their respective offices, and in addition they shall perform such other duties as may from time to time be prescribed by the executive committee.

(c) *Executive committee.*—The executive committee of the league shall consist of the president, vice president, secretary and treasurer ex-officio, the directors of the league, the members of the executive committee elected by the divisions, and 15 members at large to be chosen from the league at the annual meeting by the votes of the delegates of the branches as provided by Article V, and one member of each division of the league to be chosen by the branches thereof as provided in Article VI.

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A quorum of the executive committee shall consist of seven members thereof.

Pending the appointment of the members at large and the members accredited to the several divisions, the executive committee shall consist of directors and officers above specified.

The executive committee shall generally have power to determine and direct the action to be taken by the league and to do all acts incident to such general powers, subject to any restrictions imposed by law or by the by-laws. A majority of the committee voting for that purpose in person or by proxy shall have power of removal of any officer of the league or of any branch and like power to terminate any membership.

The activities of the league shall be conducted under the immediate direction and responsibility of the executive committee, who shall lay down the lines of organization and appoint the necessary personnel and executives with power to transact the business of the league in compliance with the regulations and general instructions given from time to time by the executive committee; provided, however, that no contracts shall be executed committing the league to expenditure beyond the amount held at the time in the treasury, and provided that all payments, except disbursements out of petty cash, shall be made by check, and that signature and countersignature of two duly appointed officers of the league shall be required on each check. It is further provided that a special committee of the executive committee shall make quarterly audits of the receipts and disbursements of the league and that no officer having the right to sign checks shall act upon said committee.

(*d*) *Other standing committees.*—There shall be the following standing committees in addition to the executive committee, to wit: A finance committee, a committee on the Navy, a committee on the Army, a committee on the militia, a committee on transportation, a committee on supplies, a committee on legislation, a committee on extension and branches, a publicity committee, a committee on membership, a committee on receipts and expenditures, and a committee on management, and the executive committee may from time to time create such other standing committees as it may deem advisable and may also terminate the same. Each of the standing committees other than the executive committee shall be appointed by the president, with the advice and consent of the executive committee, and shall consist of as many members as may be so appointed. Each standing committee shall adopt its own rules for the conduct of business not inconsistent with the charter and by-laws of the league. The functions of the respective committees shall be those heretofore authorized and exercised, subject to such modification and direction as the executive committee shall have power at any time to discharge any committee and to appoint other members thereto.

V. MEETINGS.

There shall be an annual meeting of the league on the Wednesday following the first day of May in each year, and such special meetings as may be called by the directors of the league or the executive committee. Such meetings shall be held on notice of not less than 15 days, sent in writing to each division and branch of the league. The meetings of the National Security League (Inc.) shall be meetings of officers and delegates, and such delegates and their representations shall be as follows: Each division as herein provided shall be entitled to two delegates for each branch in said division and shall be entitled to vote as many votes as there are regular and life members in all the branches in said division, and in case of divided vote the delegates of each branch may vote the votes of their branch, if the delegates of a branch divide each voting half their total vote.

The officers who shall each ex-officio be delegates to all meetings of the league shall be the national officers of the league, chairman of the executive committee, and the chairman of the advisory council.

At all meetings of the league all delegates may vote in person or by proxy.

VI. BRANCHES.

(*a*) *Organization.*—The local constituted bodies of the league shall be known as branches, and may, under the direction of the executive committee, be organized in any State, Territory, or dependency of the United States or among American citizens living abroad. Each branch shall represent its particular locality and shall bear the name of such locality; provided, however, that the

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executive committee may define or limit in its own discretion the membership and extent of any branch or in any other manner it sees fit.

When chartered by the executive committee the branch shall at once organize, adopt by-laws, elect an executive committee of not less than seven, and elect officers as prescribed.

In any State where the members of the league have already effected an organization upon a plan of branches differing from that hereby provided they may continue such form of organization, if desired, and shall be entitled to representation at the annual and other meetings of the league in proportion to the number of their members through such delegates as they shall appoint pursuant to their respective methods of organization, provided in other respects they conform to the aims, objects, and general provisions of this organization and its by-laws.

When more than one branch has been organized in any State or other convenient geographical division as designated by the executive committee it shall be the duty of the chairmen of the several branches therein to meet together at the call of the president of the league and annually in the month of April thereafter to choose a State or division committee of not less than seven persons to represent all the branches of such State or division, which committee shall be known as the division committee, taking the name of the appropriate State, Territory, or geographical unit it represents. In voting for such division committee the chairman of each branch therein shall be entitled to vote as many votes as there are regular and life members in his branch.

The division committee shall likewise choose officers for the division in the prescribed manner who shall supervise and control the work of the league among the several branches of such division. It shall be the duty of each division committee to create new branches in its division wherever possible and encourage and carry forward the purposes of the league. Such committee shall at all times be subject to the control of the executive committee of the whole league.

Each division committee is entitled to name one member of the executive committee of the whole league to represent the branches of such division in the executive committee, and it shall be the duty of the division committee when organized and annually in the month of April thereafter to choose such members forthwith.

The provisions of Article III, section *c*, shall be deemed modified in conformity with this provision as to the organization in such States.

(*b*) *Branch officers.*—The authorized officers of the branches of the league shall be the same as herein prescribed for the national officers, except that the chief officers of branches shall be called chairman and vice chairman instead of president and vice president. They shall be chosen by the executive committee of their respective branches in the prescribed manner. The duties and powers of branch officers shall correspond within their respective jurisdiction with those prescribed for national officers within the whole league.

(*c*) *Apportionment of annual dues.*—The proper officer of each branch shall pay each month one-fourth its annual, contributing, and life-membership fees when collected to the treasurer of the league for the general purposes of the league, with power to the executive committee to remit dues under their discretion for any period.

VII. ADVISORY COUNCIL.

An advisory council of the league, not to exceed 100 members of the league, may be chosen by the executive committee immediately after the annual meeting of the league. The council shall elect its own officers. Twenty members shall constitute a quorum. The duty of the council shall be to aid the executive committee on matters of policy and to encourage and carry forward the purposes of the league. The executive committee shall have power to make such changes in the advisory council from time to time as they think proper.

VIII. AMENDMENTS.

These by-laws may be amended by the executive committee of the league by a vote of a majority of a total membership thereof voting in person or by proxy or at any annual or special meeting of the league by a vote of two-thirds of those present, provided that in either case seven days' notice in writing of the proposed amendment shall have been given to the members of the executive committee and to all branches of the league. On consideration of any proposed amendment amendments germane thereto may be offered and voted upon at the meeting.

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Mr. LYDECKER. No particular section of the by-laws specifically defines the duties of the president, but the by-laws state that the officers of the league shall be a president, not more than seven vice presidents, a secretary and treasurer, all of whom must be members of the league, but need not be directors thereof. It is then stated:

The president may from time to time, with the consent of the executive committee, appoint one or more assistants to the secretary and treasurer who may respectively perform any part of the duties of the office in place of said secretary and treasurer.

The executive committee of the league shall consist of the president—

Mr. JOHNSON. I am not asking about that—well, go ahead in your own way.

Mr. LYDECKER. That is one of the duties of the president, to constitute a part of the executive committee, and he presides at the meetings of the executive committee, and his duties, as I understand, have been to carry out the directions of the executive committee.

Mr. JOHNSON. Colonel, please state what duties in connection with the league you have performed since you have been president?

Mr. LYDECKER. Since I have been president I have followed the activities of the several committees which have been carrying out the patriotic purposes of the league, the first and most important being the committee called patriotism through education, which has lately been changed in name to committee on organized education. The committee on draft registrants——

Mr. JOHNSON (interposing). I am inquiring more particularly now about your own acts.

Mr. LYDECKER. My acts, I said, were the supervision or observance of the performance of the work of these committees that have been constituted by the executive committee to carry on the patriotic purposes of the league and my business has been to confer and to assist in any way within my power, likewise to be in constant communication with the executive secretary, who receives all the correspondence, that is I say all—receives correspondence—that would not mean that the chairman of the committees receives all the correspondence, but correspondence respecting the branches. I sign all checks for the payment of money. I confer with all the committees that may be appointed.

Mr. JOHNSON. Have you an office as president of the league separate and apart from your office as attorney at law?

Mr. LYDECKER. I have not. I utilize in connection with any supervision of the work or assistance in the conduct of the work of the league, the headquarters of the league at 19 West Forty-fourth Street, by visiting the office of the executive secretary, but I have no office nor place there for the transaction of business, my work being more in the nature of advisory and representative of the executive committee in carrying out the work that they have defined in their minutes.

Mr. JOHNSON. How far distant is your law office from the office of the National Security League?

Mr. LYDECKER. From Forty-fourth Street to Trinity Church, I guess, is about 3½ to 4 miles.

Mr. JOHNSON. Do you go to the office of the league every day?

Mr. LYDECKER. I do not.

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Mr. JOHNSON. How often do you go?

Mr. LYDECKER. Oh, perhaps four times a month; perhaps more—not regularly.

Mr. JOHNSON. Where do you sign the checks, at your own office?

Mr. LYDECKER. They are brought to my office, with some possible exceptions. If I am at the office of the league when a check is presented to me for signature, I sign it there.

Mr. JOHNSON. Who authorizes the drawing up of the checks?

Mr. LYDECKER. The checks are all signed on vouchers which are printed—prepared. I have had a part in the preparation of vouchers. They are prepared by the executive secretary, and the chairmen of the several committees are all responsible for certifying to the correctness and propriety of the vouchers and the checks that I sign.

Mr. JOHNSON. In order that I may fully understand you, I will ask who passes upon the validity or correctness of the vouchers?

Mr. LYDECKER. The executive secretary, Mr. West.

Mr. JOHNSON. Alone?

Mr. LYDECKER. Alone? He passes upon the correctness of the vouchers alone, I think; yes, sir.

Mr. JOHNSON. What portion of the literature, if any, that has been sent out by the league did you yourself prepare?

Mr. LYDECKER. One short speech at Carnegie Hall in September of this year, when the speakers of the public schools of New York and the superintendent of education and others connected with our educational word, attended a mass meeting at Carnegie Hall, a copy of which I will now hand you if you desire to have it.

Mr. JOHNSON. Do you mean that that is a speech made by you?

Mr. LYDECKER. Yes.

Mr. JOHNSON. And that speech was, if I understand you, used as a piece of literature which was sent out by the league?

Mr. LYDECKER. It has been printed. I don't know how far it has been sent out, but it was a meeting in the interest of education and was intended to arouse the interest of the teachers of the public schools of New York City.

Mr. JOHNSON. You don't know to what extent it was sent out?

Mr. LYDECKER. No; I do not. Those matters are all in the hands of the educational director, Dr. McElroy. I have had nothing to do with the distribution of any of the literature of the league.

Mr. JOHNSON. Have you, as president of the league, at any time been called upon to pass upon the literature that has been sent out?

Mr. LYDECKER. Yes.

Mr. JOHNSON. What literature were you asked to inspect, with the view of having your opinion about it before it was sent out?

Mr. LYDECKER. Consultation with me has been very inconsiderable, for the reason that the work of the committees has been pretty clearly defined by the executive committee, but I have been consulted on several occasions concerning this literature that has gone out, for the purpose only of getting my view as to whether it in any way interfered with the aims and purposes of the league. Such, for instance, the flying squadron, which is a body of speakers which the league has created, having Mr. Charles A. Bill as the chairman, which has spoken throughout the city of New York, particularly to the large number of foreigners on the East Side, where un-American

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ideas have been found to be very greatly fomented by anarchistic—what are now called bolsheviki, influence, and we have made it a point that this league was in all respects nonpartisan and nonpolitical in every way. It has been.

Mr. JOHNSON. When you say it is nonpolitical do you mean that the league made no effort whatever to get into politics or interfere with politics?

Mr. LYDECKER. Absolutely in every way to keep out of politics. I have not known anything of the political party of any person that has been referred to in the league, except incidentally I knew of one of the gentlemen of your body who was from Tennessee, I think. But I do not know the politics of any person who any way—any literature or any work connected with the league. Everything that the league has done has been nonpartisan, and my——

Mr. JOHNSON (interposing). And nonpolitical?

Mr. LYDECKER. And nonpolitical; and my answer to your question about what literature I have ever been consulted about, it has related solely to the fact that it was my duty to see, as far as was within my power, that nothing ever went out from the league that was not purely patriotic and nonpartisan and nonpolitical.

Mr. JOHNSON. So, then, the league, in so far as you know, has not gone into politics at all?

Mr. LYDECKER. Absolutely in no way whatever, with the consent of the executive committee, the president of the league, or any of the officers with whom I have any knowledge.

Mr. JOHNSON. Could it go into politics without that consent?

Mr. LYDECKER. I should say that it could not.

Mr. JOHNSON. Can you say that it has not?

Mr. LYDECKER. I can say that it has not so far as I know. I wish to explain to the chairman and the committee that having a membership extending over the entire United States, and having many branches which are in the hands of individuals who reside in these different places, that if in any instance there has been any departure from that—the policy that I have stated—that it has been without my knowledge, and without the assent of the league. And I can not say that it has not been done because I don't know what has been done. I don't know what every one has done.

Mr. JOHNSON. But you can safely and certainly say that the headquarters at New York has not dipped into politics at all?

Mr. LYDECKER. I say that with the utmost confidence and sincerity, that the aim and purpose of this league has been in no way to control any political division of the people. We urged and advocated——

Mr. JOHNSON (interposing). Nor any political candidate?

Mr. LYDECKER. Nor any political candidate—any party or name. That is my statement here.

Mr. JOHNSON. Do you think that you have seen every piece of literature sent out? I mean by that, one copy of each and every piece of literature sent out from the headquarters in New York?

Mr. LYDECKER. I think I have seen very nearly every one, because I have made it a rule in the incurring of expense, that as our prints are made I shall have a copy and see from it as to the number printed, because—well, that is the answer to the question—a matter of economy.

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Mr. JOHNSON. Have you approved each piece that was sent out?
Mr. LYDECKER. As to its contents?
Mr. JOHNSON. Yes.
Mr. LYDECKER. No.
Mr. JOHNSON. Did you disapprove it?
Mr. LYDECKER. I have not disapproved anything that has gone out, that I know of.
Mr. JOHNSON. Then, is not the other side of the proposition, that you have approved every piece that has gone out?
Mr. LYDECKER. I approved the printing and publication of the literature that the heads of the committees had prepared, and I have approved any of those forms which I have been consulted as to the contents.
Mr. JOHNSON. Well, I am asking you whether you approved of the contents of each piece of literature that was sent out from your headquarters in New York?
Mr. LYDECKER. I can not answer you strictly that I did approve it as an active act. I am responsible for having it go out, in the approval of the payment of the charge for printing.
Mr. JOHNSON. I am not inquiring about the payment at all, but I am inquiring about the contents of the literature that went out. I want to know whether it had your approval or disapproval as it went out.
Mr. LYDECKER. Not in the active sense of my having read it, because responsibility was left, as to the great mass of all our educational work, the responsibility was on the educational director. He was for that purpose.
Mr. JOHNSON. Would the director of the educational bureau of your league send out important literature without referring it to you for your opinion?
Mr. LYDECKER. Oh, I think so. I do not think I had anything to do with the printing of the papers that were written by Dr. Van Tyne and very many of the eminent writers. I had nothing to do with the printing of the many little brochures which were written by Gertrude Atherton and George Ade and many very patriotic people who volunteered to write portions of our literature. I never saw them until they came out in print. We had one aim, to win the war, and everybody that was urging the winning of the war and could help along we took their aid when we could get it, and we had very, very many eminent and strong patriotic volunteers who helped, and I did not see a very large part of this, because the aim and purpose of these people appeared to be without any question. I don't know of anything that was objectionable that went out.
Mr. JOHNSON. You went over to the offices of the league only three or four times a month?
Mr. LYDECKER. I think that that would pretty near cover my actual visits. I was in contact with the office through the telephone every day, but my personal visits there were, as I say, infrequent, because I had no offices and the business of the league was conducted by the executive secretary and by the heads of the various committees.
Mr. JOHNSON. And the principal business brought to your office to be transacted by you was the checks for your signature?
Mr. LYDECKER. No; that is not strictly true.

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Mr. JOHNSON. State what else was brought to your office for your attention.

Mr. LYDECKER. Correspondence from all over the United States respecting our activities came to me and was a matter of discussion. The work of the several committees was brought to my office either by some communication or by some correspondence.

Mr. JOHNSON. Did you answer those letters?

Mr. LYDECKER. In some instances I dictated the answers. I dictated most of the answers. I did everything to steer clear of any disagreeable controversy.

Mr. JOHNSON. How many letters do you dictate in a day on an average.

Mr LYDECKER. Well, it is very hard for me to say. There were very many letters that were more or less personal connected with our work. My personal correspondence I haven't looked up. I should say I wrote two or three letters a day on business connected with this league and possibly more. My own business, I am sure, has been very seriously interrupted by the continuous application to the work of this National Security League, and I take the responsibility for the work?

Mr. JOHNSON. When did you first become a member of the league?

Mr. LYDECKER. I was one of original organizers of the league in November, 1914.

Mr. JOHNSON. What day of the month?

Mr. LYDECKER. Well, the day of the month on which it started would be a little difficult to say, because it was a matter of some conference. Mr. Stanwood Menken was in conference with one of the distinguished members of your body, Mr. Augustus Gardner, who in 1914 perceived the absolutely defenseless condition of this country and was making a most earnest plea that the country should do something in order that the pronouncements of the Government would be treated with some respect by others. And if I may say, the result of those talks was a meeting held at the Hotel Belmont on the 25th day of November, 1914, and then the National Security League officially began.

Mr. JOHNSON. Do you recall to whom you first mentioned the subject of organizing the league, or who first mentioned it to you?

Mr. LYDECKER. Yes, sir; Mr. Menken first mentioned it to me and asked if I would become one of a committee to urge preparedness.

Mr. JOHNSON. Where were you when that mention was made to you by Mr. Menken?

Mr. LYDECKER. Oh, he came to my office.

Mr. JOHNSON. Was anybody with him?

Mr. LYDECKER. No, sir.

Mr. JOHNSON. Do you consider that the beginning of the organization of your league?

Mr. LYDECKER. No; I consider that the beginning of my association with the gentlemen.

Mr. JOHNSON. What had been done, either to your knowledge or within your information, prior to that time, looking toward this organization?

Mr. LYDECKER. Nothing that I know of except the conferences that Mr. Menken had had with different gentlemen to whom he spoke.

Mr. JOHNSON. Who were they?

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Mr. LYDECKER. I can't tell you. Mr. Menken is here and will be very happy to give that.

Mr. JOHNSON. I didn't know but that in this conversation with you that he had said with whom he had theretofore been talking relative to the matter.

Mr. LYDECKER. Well, outside of Mr. Gardner, Mr. Menken spoke, I think, of the gentlemen that would sign this call for the meeting at the Belmont.

Mr. JOHNSON. Did he say who those gentlemen were?

Mr. LYDECKER. Yes; I can give you their names: Mr. Lawrence F. Abbott, of the Outlook; Mr. Franklin Q. Brown, of Redmond Bros., during the war connected with the interstate-commerce work.

Mr. JOHNSON. Anybody else that you can recall?

Mr. LYDECKER. Yes; Herbert Barrie, an attorney; J. Mayhew Wainwright. Whether he was a member of the State legislature at that time or not I don't recall. If I may refer, I will give the others.

Mr. MENKEN. I think, Mr. Chairman, we have a list of them here that we can file, if you wish.

Mr. JOHNSON. I would rather there would be no speaking to the committee at all except through the witness who is on the stand. You can furnish to him a list which will refresh his memory, if you like.

Mr. MENKEN. We have the data.

Mr. JOHNSON. Just furnish it to Col. Lydecker and let him do the speaking. You can give it to him now.

Mr. LYDECKER (consulting papers). J. Bernard Walker—no; I am mistaken.

Mr. JOHNSON. He was not one of them?

Mr. LYDECKER. No; he was not one of them. If you will let me have that scrap book, Mr. West—or you can let me have the first call.

(Mr. West handed a book to the witness.)

GEORGE HAVEN PUTNAM. Those are the people who are spoken of to call this meeting at the Hotel Belmont.

Mr. JOHNSON. Please read those names again so that we may get them.

Mr. LYDECKER. The names of the people spoken of to me at the inception of this?

Mr. JOHNSON. Yes; the names of those persons that you just gave.

Mr. LYDECKER. Herbert Barrie, George Haven Putnam, Lawrence F. Abbott, J. Mayhew Wainwright, Franklin Hugh Brown.

Mr. JOHNSON. Who was present at the meeting at the hotel?

Mr. LYDECKER. Oh, there were perhaps 150 people present. I can't tell you the names. I can give you a list from the newspaper reports at that time.

Mr. JOHNSON. Well, if you know that the newspaper report is correct, we would be glad to have the names. Were there no minutes of that meeting kept?

Mr. LYDECKER. There were.

Mr. JOHNSON. Do the minutes show who were present?

Mr. LYDECKER (consulting a book). The minutes say that among those present who spoke upon the resolution which I offered at that meeting, seconded by Mr. Putnam——

Mr. JOHNSON (interposing). What was the resolution?

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Mr. LYDECKER. May I finish my answer? (Continuing). Were Mr. Allen, Mr. Loveland, Col. William S. Church, Senator Wainwright, Mr. Hornaday, Mr. Heinicke, Mr. Bond, and Mr. Von Polnitz.

Mr. JOHNSON. Will you be good enough to give the initials, the full name of those parties?

Mr. LYDECKER. I will if I can, sir. I think this report will show. There were present Mr. J. Seaver Page, Robert C. Morris, J. Clarence Davis, Drew Friedman, George P. Mortimer, Forrest E. Deming, Sidney C. Bohm, Grenville Clark, Edward R. Stettinius, Herman A. Metz, Seth Sprague Terry, John D. Crimmins, Lawrence F. Abbott, J. G. White, Percy R. Roberts Pyne, Roger Foster, James E. Graham, Alfred F. Feligsberg, Frederick Potter, W. Morgan Schuster, Lawrence O. Semple, Samuel W. Fairchild, John F. O'Rourke, Herbert Parsons, C. A. Grisbum, Frederick R. Goodair, Max Pam, Herbert L. Slatterlee, Clarence J. Shearn, now supreme court judge; Jesse F. Orton, Charles R. Flint, George Wilson, Lindsay Russell, H. deF. Baldwin, John G. Agar, Cambridge Livingston, Frederick Brown, Lee Coombs, George Haven Putnam, George H. Friar, Charles A. Niblock, Herbert Barrie, J. Mayhew Wainwright. They were either present—I remember very many of them being present, but they were present or authorized their names to be used at that meeting.

Mr. JOHNSON. Who acted as secretary at that meeting?

Mr. LYDECKER. Herbert Barrie was temporary secretary.

Mr. JOHNSON. Did you have a stenographer at the meeting?

Mr. LYDECKER. I don't know, Mr. Johnson.

Mr. JOHNSON. Who would know?

Mr. LYDECKER. Herbert Barrie would know. He is in the Army and can not be presented here now, I think. My impression is that no stenographer was there. These minutes are very simple.

Mr. JOHNSON. Who notified the gentlemen whose names you have just given as to the time and place of the meeting to which you have just referred?

Mr. LYDECKER. I can only answer by saying that the card of invitation to attend the meeting signed by the gentlemen that I named before called for——

Mr. JOHNSON (interposing). Read the card, please.

Mr. LYDECKER (reading):

52 William Street, New York.

Mr. JOHNSON. Whose office is that?

Mr. LYDECKER. Mr. Menken. [Reading:]

You are invited to attend a meeting to be held on Tuesday, December 1, 1914, at the Hotel Belmont at 5 o'clock p. m. for the purpose of forming a committee to advocate an inquiry of the congressional authority as to the condition of our Army, Navy, and national defenses, to the end that the people of the United States may know the exact facts relative thereto and form, with knowledge, an opinion as to what should be the proper national policy.

Mr. JOHNSON. By whom is that signed?

Mr. LYDECKER. It is signed by the seven gentlemen whose names I read a few minutes ago as being concerned in the initial movement for the formation of the league, and there is at the foot:

Reply may be sent to Mr. Menken at above address.

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Mr. JOHNSON. That was a printed notice?
Mr. LYDECKER. Yes, sir; a printed card.
Mr. JOHNSON. Do you know who paid for the printing of it?
Mr. LYDECKER. I do not.
Mr. JOHNSON. Do you know how many of those notices were sent out?
Mr. LYDECKER. I do not. Mr. Menken, I think, can answer those questions very fully.
Mr. JOHNSON. Who selected the names of those to whom that card was sent?
Mr. LYDECKER. I do not know. Mr. Menken, I am sure, but I do not know.
Mr. JOHNSON. Who paid for the room at the hotel?
Mr. LYDECKER. That I do not know. I think they gave it.
Mr. JOHNSON. Where was the first office of the league?
Mr. LYDECKER. I think it was in Pine Street, 25 Pine, I think. Is that right, Mr. Menken?
Mr. MENKEN. The first was my office, 125 Pine.
Mr. JOHNSON. Was Mr. Menken's office the first office of the league?
Mr. LYDECKER. I never knew it. I didn't know it. I never went there. He says it was. The league grew quite rapidly and very shortly had an office for its clerks. It was quite a spontaneous movement.
Mr. JOHNSON. Who handled the publicity in the beginning?
Mr. LYDECKER. I will have to ask you to get this information from Mr. Menken, because I was not personally sufficiently in touch with the active work to answer you correctly. My impression is that a gentleman named Duke and Mr. Alexander B. Humphries—but this information can be given absolutely accurately by Mr. Menken, who is here, and will be very willing to do so.
Mr. JOHNSON. The first activity of the league, if I understand you correctly, was looking toward preparedness?
Mr. LYDECKER. Yes, sir.
Mr. JOHNSON. What expenditure did you have in looking toward preparedness? I mean principal expenditures, not the smaller ones, such as printing. I don't inquire into that just now.
Mr. LYDECKER. You ask what they were? I can only give you the financial——
Mr. JOHNSON (interposing). I am not just now asking for amounts: but to whom were the first checks made payable that looked toward preparedness?
Mr. LYDECKER. I can only answer you in respect to that matter by referring to the records of the league. I do not know personally. Our records are in all respects complete; and I would like to show the committee, if you will let me have that table, I would like to show the committee that there is within its reach a full and complete answer to every question regarding the receipts and expenditures of the league. A most careful and conscientious record has been kept, and the reports of paid accountants—public accountants—made from the beginning to the present day—or the last one was the 30th of September, 1918—are here in court. The accounts of the league have been kept with the most scrupulous accuracy, and every item of receipt and expenditure, I believe—I can not say of my

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own knowledge, but I believe from the character of these records—is set forth in those records.

Mr. JOHNSON. I didn't intend in that question——

Mr. LYDECKER (interposing). To whom the money was paid for the printing of the first publications that were made about preparedness—who paid for the cartoons if they were paid for——

Mr. JOHNSON. I stated that I didn't ask about that.

Mr. LYDECKER (continuing). I don't know.

Mr. JOHNSON. I stated I didn't ask about that.

Mr. LYDECKER. About what, sir?

Mr. JOHNSON. About what you are now saying.

Mr. LYDECKER. I understood the court to ask me to whom the payments were made. I can't answer, because I don't know; but I assure you the payments are all here to be seen by anybody.

Mr. JOHNSON. But I am not inquiring about that yet. We will get to that later.

To be more specific, I will ask you whether or not you have either knowledge or information as to whether or not the National Security League in anywise encouraged the moving-picture concern known as the Battle Cry of Peace?

Mr. LYDECKER. I have absolutely no knowledge of any association of the league in any way with the moving picture called the Battle Cry of Peace. I don't know anything about it.

Mr. JOHNSON. If there was any arrangement whatever between the league and the putting on of that play, you have neither knowledge nor information concerning it?

Mr. LYDECKER. No, sir; nor belief.

Mr. JOHNSON. Did the league render financial aid toward any of the large mass meetings that were held about New York?

Mr. LYDECKER. I have never heard of such a thing, except mass meetings that we have gotten up—or meetings. There were no meetings that anyone else got up.

Mr. JOHNSON. What meetings did the league get up, that you know about, in New York City or anywhere?

Mr. LYDECKER. We had a congress of patriotism in Washington. We have held three.

Mr. JOHNSON. When was that congress of patriotism held in Washington?

Mr. LYDECKER. Where?

Mr. JOHNSON. When?

Mr. LYDECKER. Now, I can't recall these dates until you give me the documents. [Addressing Mr. West:] Have you got a copy of our book here?

Mr. WEST. Yes.

Mr. LYDECKER. Let me have that. These records have all been printed. [Mr. West hands book to Mr. Lydecker.] I would like to hand to the committee——

Mr. JOHNSON (interposing). Before we get into that, Colonel, I suggest that we get this date for which we have just asked.

Mr. LYDECKER. I was going to give you that information by giving you this.

The Congress of Constructive Patriotism was held at Washington on the 25th to the 27th day of January, 1917, and its proceedings have been printed and distributed.

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Mr. JOHNSON. Where was it held?
Mr. LYDECKER. At the Willard Hotel.
Mr. JOHNSON. Who paid the expenses of that conference?
Mr. LYDECKER. It was paid out of the funds of the league.
Mr. JOHNSON. Do you know how much it cost?
Mr. LYDECKER. I do not.
Mr. JOHNSON. Who would know?
Mr. LYDECKER. The records will show. They are all here.
Mr. JOHNSON. You spoke a few minutes ago of having sent out public speakers. Who selected those speakers?
Mr. LYDECKER. The first person to have charge of a particular division of the National Security League, called the speaker's bureau, was Dr. McElroy. The sending out of speakers prior to that was not organized so fully, and I can't say who had that in charge. Then, after Dr. McElroy became the educational director and the work was segregated a little more, the speakers' bureau was in charge of a Dr. T. J. Preston, of Princeton University, and on his resignation to take charge of hospital work his wife, Mrs. Frances Cleveland Preston, became the director of the speakers' bureau, and the selection of the speakers in the speakers' bureau was by those three heads of the division. The speakers who speak in the flying squadron are under the selection of Mr. Charles A. Bill. We have a very excellent class of instruction for these speakers that meets at the association of the bar of the city of New York in its assembly room, where they have been addressed by some of our very ablest men to enthuse them with the ideas of patriotism, the method of reaching the throng, and carrying the message to win the war.
Mr. JOHNSON. In other words, you have a preparatory school for those speakers before they go out?
Mr. LYDECKER. Yes, sir; we try to steer them straight.
Mr. JOHNSON. According to your ideas?
Mr. LYDECKER. According to our ideas of patriotic devotion.
Mr. JOHNSON. According to the league's ideas?
Mr. LYDECKER. Exactly, sir.
Mr. JOHNSON. Who are the salaried officers of the league?
Mr. LYDECKER. The executive secretary——
Mr. JOHNSON (interposing). What is his name?
Mr. LYDECKER. Henry L. West.
Mr. JOHNSON. What does he get?
Mr. LYDECKER. He gets at the present time $8,400.
Mr. JOHNSON. That is his annual salary, $8,400?
Mr. LYDECKER. Yes, sir. The educational director, Dr. McElroy, is paid $10,000 a year salary. There are some forty odd employees, but they are under regular salary. The publicity director, Mr. E. L. Harvey, I think, is paid $80 a week. We have a lady, who was a teacher, Miss Leighton——
Mr. JOHNSON. Give her full name, please.
Mr. LYDECKER. Etta V. Leighton, who was paid $200 a month.
Mr. JOHNSON. What does she do?
Mr. LYDECKER. She carries on an enormous correspondence throughout the United States on the subject of Americanization, naturalization, teaching the immigrants, bettering the ignorant.

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Mr. JOHNSON. Have you given a complete list now of those who are compensated for their work?

Mr. LYDECKER. No; the assistant secretary, Mr. Smalley, is employed under a salary—what is his salary?

Mr. WEST. $60 a week.

Mr. LYDECKER. I don't carry these figures all in my head for the moment. Mr. West tells me $60 a week. I think now I have stated all of them.

Mr. WEST. Of course, we have a cashier, an accountant, and we have a stock man.

Mr. LYDECKER. Yes; we have a long list of employees the salries of which I can give you.

Mr. JOHNSON. Would it be better for you to furnish that list, or that be furnished by some other officer of the league later on?

Mr. LYDECKER. Mr. Calhoun is our bookkeeper, and he is here.

Mr. JOHNSON. What is his full name?

Mr. WEST. P. D. Calhoun.

Mr. LYDECKER. He is a very thorough bookkeeper and can give you all that information.

Mr. JOHNSON. What compensation does he get?

Mr. LYDECKER. It is $40 a week.

Mr. JOHNSON. You are speaking now of the present organization?

Mr. LYDECKER. I am speaking of to-day.

Mr. JOHNSON. What persons, if any, that you know of have been paid before your presidency commenced?

Mr. LYDECKER. Paid what, sir? Paid for services?

Mr. JOHNSON. Yes.

Mr. LYDECKER. Well, those who were there before the present force. I recollect Mr. Humphries.

Mr. JOHNSON. What Mr. Humphries?

Mr. WEST. Alexander B. Humphries.

Mr. LYDECKER. Now secretary of the Selgrave Institute.

Mr. JOHNSON. Where does he live?

Mr. LYDECKER. I don't know, sir. He lives in New York, I think, J. Woodward Duke.

Mr. WEST. No; E. Woodward Duke.

Mr. JOHNSON. What did each of those gentlemen receive—what compensation?

Mr. LYDECKER. I can't tell you, sir; it was before my time.

Mr. JOHNSON. We can get that from the books later, I guess.

Mr. LYDECKER. We began our salary list at a very moderate sum, and these men, many of them, were working through patriotism in part and through modest compensation and others. I believe Mr. West began with $50.

Mr. JOHNSON. $50 a week?

Mr. WEST. A week.

Mr. JOHNSON. When did Mr. West begin?

Mr. WEST. I began——

Mr. JOHNSON (interposing). I am asking him, Mr. West. Prompt him privately so it will not get into the record when you do prompt him.

Mr. LYDECKER. Let me correct the statement that Mr. West began at $50. [Examining book.] The entry was $50, but it was for a half

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week, on the 30th day of June, 1915. The salary was $100 a week, which was raised on the 25th of March to $115.

Mr. JOHNSON. March of the next year?

Mr. LYDECKER. 1916, the following year. In January, 1917, to $135; and in January, 1918, to $150; and March 1, 1918, to $700.

Mr. JOHNSON. Who authorized those raises?

Mr. LYDECKER. The executive committee, to the best of my knowledge and belief.

Mr. JOHNSON. Who constitutes at the present time that executive committee?

Mr. LYDECKER. The executive committee consists of the president, vice presidents, secretary and treasurer ex officio, the directors of the league, the members of the executive committee elected by the divisions.

Mr. JOHNSON. But, Colonel, you are giving them by title instead of by name.

Mr. LYDECKER. Did you wish me to read the names of all the officers?

Mr. JOHNSON. Of the executive committee that authorized the salaries of which you have just spoken.

Mr. LYDECKER. Charles E. Lydecker, president; George Wharton Pepper, Philadelphia; Willett M. Spooner, Milwaukee; Luke E. Wright, Memphis; James W. Gerard, New York; Myron P. Herrick, Ohio, vice presidents.

Mr. JOHNSON. Was each and every one of those gentlemen present when these modest salaries of which you speak were authorized?

Mr. LYDECKER. I think not.

Mr. JOHNSON. Who was present?

Mr. LYDECKER. I have no way of answering except to refer to the minutes concerning the matter.

Mr. JOHNSON. Could you conveniently refer to those minutes now and tell us who were present when these salaries were fixed?

Mr. LYDECKER. Well, I would like to ask the executive secretary to go through the minutes and do it. If you will continue your examination and let that be put in by him a little later, it will serve our purposes, I think, better. Whatever you wish we can do. Shall I continue giving you the names of this committee?

Mr. JOHNSON. Yes; go ahead.

Mr. LYDECKER. The secretary is Lawrence F. Abbott; treasurer, Alexander J. Hemphill; board of directors consists of Lawrence F. Abbott, Herbert Barrie, Franklin Hugh Brown, H. H. Chamberlain, C. Willinghare, and H. B. Harris. Other members of the executive committee are Ephraim P. Adams, California; John G. Agar, Robert Bacon, C. A. Bill, George M. Brown, Missouri; Frederick R. Goodair, New York; John Davis, Texas; William S. Ellis, Pennsylvania.

Mr. JOHNSON. Could you give the post-office address of those gentlemen, instead of just referring to them by States? For instance, where in Texas does that director live?

Mr. LYDECKER. Well, I happen to know he lives in Dallas, but I can't give you all of these. I can file a list of their names and addresses, if that will suit the committee. Shall I continue the names and then file a list later of the post-office addresses?

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Mr. JOHNSON. Yes.

Mr. LYDECKER. Mr. West, will you please make a note and have that list made?

Alexander Fitzhugh, Iowa.

Mr. JOHNSON. You don't know his post-office address?

Mr. LYDECKER. Des Moines; yes, sir. I have written to him. D. J. Haff, of Kansas City, Mo.; Edward Harding, New York; Albert B. Hart, Cambridge, Mass.; John Greer Hibben, Princeton, N. J.; W. H. Hobbs, University of Michigan, Michigan; M. F. Libbey, Colorado, University of Colorado, at Boulder; Cyrus H. McCormick, Chicago, Ill.; Robert McElroy, Princeton, N. J., now living in New York; Stanwood Menken, 52 William Street, New York; H. H. Merrick, Chicago, Ill.; R. Wharton Moore, Fairfax Courthouse, Va.; Guy Murchie, of Boston, Mass.; Herbert Myrick, of Springfield, Mass.; Charles P. Neill, of the District of Columbia; Charles B. Orth. Mr. Orth, will you tell me your residence?

Mr. ORTH. New York.

Mr. LYDECKER. John M. Parker, New Orleans, La.; W. E. Remington, Ridgewood, N. J.; William T. Sedgewick. He is at Cambridge also, is he not?

Mr. WEST. He is at the Institute of Technology, Massachusetts.

Mr. LYDECKER. Lewis B. Stillwood, New York; Gen. F. S. Streeter, Concord, N. H.; Lloyd Taylor, New York; H. D. Thompson, Princeton, N. J.; Claude H. Van Tyne, University of Michigan; August H. Vogel, Milwaukee, Wis.; G. Creighton Webb, New York; Miss Maud Wetmore, New York; William H. Wylie, New York; La Fayette Young, of Des Moines, Iowa.

Those are the members of our executive committee, officers, and directors, as far as I know.

Mr. JOHNSON. By whom and in what manner were they chosen to those positions?

Mr. LYDECKER. At a meeting of the league held at the Metropolitan Opera House on the 8th of May, with the exception of myself and Mr. Abbott, who have been substituted since that election.

Mr. JOHNSON. Who were present at that meeting to which you have last referred?

Mr. LYDECKER. An audience of about 3,000 or 4,000.

Mr. JOHNSON. Where did you say that meeting was held?

Mr. LYDECKER. At the Metropolitan Opera House, New York.

Mr. JOHNSON. What efforts, if any, were made to get those people there?

Mr. LYDECKER. I think that the meeting was advertised.

Mr. JOHNSON. Who rented the hall?

Mr. LYDECKER. The league.

Mr. JOHNSON. Who nominated each of these men?

Mr. LYDECKER. A nominating committee was named before the meeting, which prepared this list of names, I believe.

Mr. JOHNSON. At what place did this nominating committee meet and prepare this list?

Mr. LYDECKER. My recollection is that they met at the Bankers' Club, where they were at lunch.

Mr. JOHNSON. At the bankers' lunch?

Mr. LYDECKER. At 120 Broadway, New York City.

Mr. JOHNSON. Who was present?

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Mr. LYDECKER. I can not recollect.

Mr. JOHNSON. Give us the names of the nominating committee.

Mr. LYDECKER. I am trying to think who they were. This nominating committee was formed after a meeting, or at a meeting of the executive committee of men who were there.

Mr. JOHNSON. Well, you say after a meeting of the executive committee men.

Mr. LYDECKER. I understand. That is my best recollection, and these names were selected. I think there are many of them repetitions of the former board.

Mr. JOHNSON. But I am asking now who did the selecting of these men?

Mr. LYDECKER. Well, I was one of those.

Mr. JOHNSON. Who else?

Mr. LYDECKER. Mr. Menken is one of those.

Mr. JOHNSON. Who else?

Mr. LYDECKER. I can't remember, sir, the names of the gentlemen who were there.

Mr. JOHNSON. Was that nominating committee self-constituted?

Mr. LYDECKER. No; I think it was the committee that the chair appointed to make the nominations in anticipation of this meeting.

Mr. JOHNSON. To whom do you refer when you say the "chair"?

Mr. LYDECKER. Mr. Menken was the presiding officer.

Mr. JOHNSON. Who selected him?

Mr. LYDECKER. Well, after he succeeded Mr. Bacon—I am unable to say at this moment whether he was elected by the executive committee to fill that vacancy or whether he was electel at the preceding annual meeting. I will have to refer to the dates to see. He was either elected by the executive committee when Mr. Bacon went out or he was elected at the preceding annual meeting.

Mr. JOHNSON. Elected to what position?

Mr. LYDECKER. To the position of president—chairman of the executive committee.

Mr. JOHNSON. And as such he presided over the meeting of which you speak?

Mr. LYDECKER. Yes. You mean the meeting of the committee on nominations or the meeting at the Metropolitan Opera House?

Mr. JOHNSON. Well, I meant the nominating committee.

Mr. LYDECKER. I think I was chairman of that nominating committee.

Mr. JOHNSON. And he was chairman of the meeting at the opera house?

Mr. LYDECKER. Yes, sir; that is right.

Mr. JOHNSON. From whom did this nominating committee get authority to act in selecting these directors, the names of whom you have just given?

Mr. LYDECKER. I presume the chairman acted through the executive committee's authority. I don't know. I was asked to act, and I did act.

Mr. JOHNSON. Who asked you to act?

Mr. LYDECKER. May I read, sir? [Reading:]

On the 24th day of April, at a meeting of the executive committee of the National Security League, the chair was authorized to appoint a committee of three for the nomination of officers.

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Mr. JOHNSON. Does it say who was present?

Mr. LYDECKER. At that meeting?

Mr. JOHNSON. Yes, sir.

Mr. LYDECKER. Yes. Shall I read the names?

Mr. JOHNSON. Yes.

Mr. LYDECKER. S. Stanwood Menken; E. H. Clark; C. A. Bill; Hayden B. Harris; William H. Hobbs, Ann Arbor; Charles B. Lydecker; Robert M. McElroy; Franklin Remington; Lewis B. Stillwood; Col. G. Creighton Webb; Maud Wetmore; Thomas J. Preston, jr.; Henry L. West; and, by invitation, E. W. Woodcock, chairman Moline (Ill.) branch, and Joseph P. Cashman, of New York. And at the subsequent meeting Charles E. Lydecker, chairman of the committee on nominations, selected a list of names——

Mr. JOHNSON (interposing). Who acted as secretary of that meeting, the minutes of which you have just read?

Mr. LYDECKER. I have no doubt Henry L. West acted, but I will verify it. Mr. West keeps these records as the minutes are made, as the meetings are held, and I know that he writes them down, because I have seen him do it. They are not signed, but they are his minutes.

Mr. JOHNSON. A few moments ago you read a list of officers from many of the States. Who appointed them?

Mr. LYDECKER. Do you mean the members of the executive committee from the States?

Mr. JOHNSON. Yes, sir.

Mr. LYDECKER. They were elected at the Metropolitan Opera House in the main, with possibly some one or two changes in the personnel.

Mr. JOHNSON. Those who were elected were elected in the way you have just recited?

Mr. LYDECKER. The nominating committee made its report and the chairman put the question whether there were any questions in regard to the nominating committee's report, and it was unanimously adopted.

Mr. JOHNSON. There were no other nominations?

Mr. LYDECKER. I think not.

Mr. JOHNSON. No nominations were made from the audience?

Mr. LYDECKER. I think not. I recall none.

Mr. JOHNSON. Have you some person who, for the present, may be designated as your principal officer or principal agent, or upon whom you principally rely, in each State?

Mr. LYDECKER. I think I must answer that question "No." The branches elect their own heads, appoint their own representatives, organize and carry on whatever they carry on as they see fit, and are really not considered as agencies whom we appoint in the different States, within the purview of your question, as I understand the language.

Mr. JOHNSON. Where are your branches? Do you prefer to give that later?

Mr. LYDECKER. I can't give it from my own mouth without some aid, and if the committee wishes it in the record now I will have to get the statement to read from. [Mr. West handed a pamphlet to the witness.] I read from a print of June 1, 1917, capitalized officers, committees, and branches, and these branches are substantially the

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same as named, although there have been some changes, and the branches have been more or less kept up by the people who are there. In some instances they are absolutely inactive, relying entirely upon the work emanating from the national headquarters in New York.

Mr. JOHNSON. Will you give a list of those branches?

Mr. LYDECKER. I beg leave to file a list of these. I can not read it from this statement of June, 1917.

Mr. JOHNSON. Instead of filing it I ask that later along you read it, so that the committee can have it at the time that it is put into the record, so that each of these branches may be inquired about.

Mr. LYDECKER. Yes, sir; I will do that.

Mr. JOHNSON. Can you give offhand, without reference to any of your r cords, your principal branches?

Mr. LYDECKER. Why, Boston, Chicago, St. Louis are our principal branches.

Mr. JOHNSON. Who in in charge of the Boston branch?

Mr. LYDECKER. I don't know at the present time.

Mr. WEST. Sedgwick is now the chairman of the Boston division, succeeding Mr. Guy Merchie.

Mr. LYDECKER. Well, I can answer that Mr. Sedgwick is the chairman or the representative of that body, succeeding Mr. Guy Merchie. Chicago I happen to know, because I was there a short time ago and saw the president there—the chairman of the branch, H. H. Merrick.

Mr. JOHNSON. Who is at St. Louis?

Mr. LYDECKER. At St. Louis Edward K. Love, chairman of the executive committee at St. Louis.

Mr. JOHNSON. Who is at Kansas City?

Mr. LYDECKER. I don't know. These matters are rather beyond my personal mentality. They are matters, though, of record, and this patriotic organization which developed, and my chairmanship of the executive committee has not involved my having personal communication with all of these branches, except as it might grow out from a circular.

Mr. JOHNSON. You spoke of certain things having been done at a bankers' banquet held in New York.

Mr. LYDECKER. No, sir; I did not say it.

Mr. JOHNSON. You did not refer to that at all?

Mr. LYDECKER. I did not refer to a bankers' banquet.

Mr. JOHNSON. In what way did you refer, then, to a meeting of bankers at which a dinner was given in New York?

Mr. LYDECKER. I did not refer to a meeting of bankers that was given in New York.

Mr. JOHNSON. What reference did you make?

Mr. LYDECKER. I referred to a luncheon of the executive committee held in a room at the Bankers' Club, it being a means of convenience to have the business men who are connected with the Security League meet to discuss the affairs in a room at some convenient location down town.

Mr. JOHNSON. So, when I designated it as a dinner or as a banquet I was wrong. You designate it as a luncheon?

Mr. LYDECKER. I designate it as a business luncheon, at which the executive committee met to talk over the affairs of the league and then went back to their business.

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Mr. JOHNSON. Can you speak with certainty as to who paid for the luncheon?

Mr. LYDECKER. I can.

Mr. JOHNSON. Who paid for it?

Mr. LYDECKER. Each member of the executive committee paid for his own lunch.

Mr. JOHNSON. Was anybody present besides the members of the executive committee?

Mr. LYDECKER. On what occasion?

Mr. JOHNSON. The occasion of which we are speaking.

Mr. LYDECKER. I read the names of two gentlemen, I think. One was Mr. Woodcock, chairman of the Moline branch; and the other was Mr. Cashman. They, I think, were invited to be present, but were not members of the executive committee, and whether they tendered the money to pay for their own luncheon on that occasion, or were asked by some member to come there and that member paid for it I don't know. But they do not lunch at the expense of the National Security League.

Mr. HARRISON. Mr. Lydecker, has Mr. Menken, the founder of this organization, ever received any salary?

Mr. LYDECKER. Never to my knowledge. On the contrary he has contributed very generously.

Mr. HARRISON. Have you received any salary?

Mr. LYDECKER. Absolutely none.

Mr. HARRISON. Are your expenses paid?

Mr. LYDECKER. When?

Mr. HARRISON. Well, at any time, any expenses that were incurred? Did the National Security League pay those expenses?

Mr. LYDECKER. Yes; on one occasion. I have attended the meetings of the congress and paid my expenses to Washington and Chicago and all other expenses connected with my activities in this league without ever having any compensation or having any refund. But on the occasion of one visit since I have been president—or two visits that I have made since I have been president, the league paid my expenses. One of those was to Chicago, the other was to Pittsburgh.

Mr. HARRISON. May I ask you about these donations and how the expenses were paid? How would you receive contributions? Would you solicit them?

Mr. LYDECKER. You mean has the league ever solicited subscriptions?

Mr. HARRISON. Yes.

Mr. LYDECKER. Yes.

Mr. HARRISON. Not subscriptions particularly, but contributions?

Mr. LYDECKER. Yes; I think so.

Mr. HARRISON. Do you recall offhand what is the largest contributions you have received?

Mr. LYDECKER. The largest? I may say that I, personally, haven't had charge of any of the solicitation or requests for contributions; but I know, as president of the league, of the largest contribution that has been made, which was made by the Carnegie Foundation. $100,000. It is in two payments of $50,000 each.

Mr. HARRISON. What was that?

Mr. LYDECKER. In two payments of $50,000 each.

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Mr. HARRISON. That was in the beginning of the organization?

Mr. LYDECKER. No; the $50,000 last paid has been spent by present incumbency.

Mr. HARRISON. Well, what is the next largest contribution; do you recall?

Mr. LYDECKER. I have personal knowledge of no other contribution, but I have indirect knowledge of the payment of $25,000 by the Rockefeller—by John D. Rockefeller.

Mr. HARRISON. Personally?

Mr. LYDECKER. Personally, I think, it was.

Mr. HARRISON. What is the Carnegie Foundation?

Mr. LYDECKER. I believe that that is a corporation of which Mr. Pritchett is the president—Henry Pritchett. I must correct my statement. Take out the word "Foundation" and call it the Carnegie Corporation.

Mr. HARRISON. They are interested in steel production, aren't they?

Mr. LYDECKER. I don't think so.

Mr. HARRISON. What do you think they are interested in?

Mr. LYDECKER. I understand that that is a purely philanthropic fund for educational purposes.

Mr. HARRISON. The Carnegie Corporation?

Mr. LYDECKER. I think so.

Mr. HARRISON. Aren't you mistaken? The Carnegie Foundation may be that, but the Carnegie Corporation, isn't that a steel corporation?

Mr. LYDECKER. Let me have the folder, will you, of that Carnegie matter [addressing Mr. West]. I should say that this had been accomplished before my accession to the presidency, and the Carnegie Corporation of New York, 576 Fifth Avenue, in March, 1918, informed the president of the National Security League, Mr. Menken, that the sum of $150,000 was appropriated for the work of the National Security League [examining paper]; and that the treasurer be, and hereby is, authorized to make payment of this sum by installments, and at such times and in such amounts as the state of the funds of the corporation permits. And of that $150,000, $100,000 has been paid. Now, I have no knowledge concerning the Carnegie Corporation.

Mr. HARRISON. Who solicited that contribution?

Mr. LYDECKER. Mr. Menken and Dr. McElroy solicited that contribution.

Mr. HARRISON. Does Mr. Menken or yourself either represent the Carnegie interests or the Rockefeller interests?

Mr. LYDECKER. I don't, in any way; and I don't think Mr. Menken does in any way whatever.

Mr. HARRISON. Do you represent any corporation interests as attorney that is engaged in steel production or the manufacture of munitions in any way?

Mr. LYDECKER. None whatever.

Mr. HARRISON. What corporations do you represent?

Mr. LYDECKER. I have only legal relations with a few minor manufacturing corporations. I am not in any business that requires me to devote any attention, except to minor manufacturing corporations around New York.

Mr. HARRISON. What are they, Mr. Lydecker?

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Mr. LYDECKER. What names? Well, a corporation that was engaged in the manufacture of plaster Paris is one, a restaurant corporation is another, and the publishing corporation is another. My principal occupation is the business of estates.

Mr. HARRISON. What is the name of the publishing corporation?

Mr. LYDCKER. The Progressive Age Publishing Co.

Mr. HARRISON. What other?

Mr. LYDECKER. What other what?

Mr. HARRISON. Any other publishing company?

Mr. LYDECKER. I think not.

Mr. HARRISON. Any other corporations?

Mr. LYDECKER. Yes; a restaurant corporation called the Baraca is one—minor matters that have occupied my attention. The Witherspoon plaster mill is the plaster company.

Mr. HARRISON. Have you a retainer from these corporations?

Mr. LYDECKER. No.

Mr. HARRISON. Are there any other corporations that you have a retainer from as attorney or are interested in?

Mr. LYDECKER. No; I have no retainers from any corporations whatsoever.

Mr. HARRISON. And you are not interested in any other, either directly or indirectly?

Mr. LYDECKER. No interest whatsover—you say any other corporations?

Mr. HARRISON. What railroad?

Mr. LYDCKER. Do I own stock in?

Mr. HARRISON. Yes.

Mr. LYDECKER. Why, I own stock in the Illinois Central.

Mr. HARRISON. Do you own any bonds of any railroad corporations or any other corporations?

Mr. LYDECKER. Yes; I own bonds of certain railroads.

Mr. HARRISON. What railroads?

Mr. LYDECKER. I have some few. It is very hard for me to remember. I can't recall just at this minute. I get confused, because I handle a great many bonds and estates, and if I begin speaking of bonds without a memorandum in front of me I can't remember them all. They are a very inconsiderable amount.

Mr. HARRISON. Do I understand that you represent some estates as attorney which own considerable bonds and stocks?

Mr. LYDECKER. I represent estates that own bonds; yes.

Mr. HARRISON. Can you give the names of the largest estates that you represent who own bonds and stocks?

Mr. LYDECKER. Well, no; I think I can not.

Mr. HARRISON. Do you prefer not to do that?

Mr. LYDECKER. I think that any properties owned by clients or any information I have obtained in a confidential relation have nothing to do with the activity of the Security League.

Mr. HARRISON. Now, you really prefer not to name the estates?

Mr. LYDECKER. I do not wish to divulge the matters connected with any estates that I have under my control, except I will answer your question in regard to any interests whatsoever that relate to this inquiry, but I am not going to state what——

Mr. HARRISON (interposing). Well, I understood you to say that you owned some stocks in the Illinois Central, and that you owned

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some railroad bonds, but you only named the Illinois Central, and that you owned some stocks in some other railroads. You haven't given any names of any bonds that you own at all.

Mr. LYDECKER. Well, I don't own any bonds in any concerns or any stock in any concern that have anything to do with the subject of the National Security League.

Mr. HARRISON. I understand; but I just wanted to get the information. I thought maybe it might be good for the committee.

Mr. LYDECKER. Well, it may be. I can't at this moment recall, and I will try and give you later such information as you want that may be in any way material here, if you just want to know how much I own in the world altogether.

Mr. HARRISON. No; I care nothing about that, Mr. Lydecker.

Mr. LYDECKER. I don't care anything about that.

Mr. HARRISON. Not that; I just wanted to know what bonds and what stocks you owned, or that you represented, and what large estates.

Mr. LYDECKER. I don't represent any whatsoever. Any interests that I have in any stock in the Illinois Central is as a purchaser who invested money in it.

Mr. HARRISON. I will come back to that later. The origin of the National Security League—the purpose of it mainly—was to procure universal military training throughout the country, was it not?

Mr. LYDECKER. I don't think so; not alone.

Mr. HARRISON. I was reading here the object of the National Security League from the by-laws, and among other things it says:

And to promote recognition of the fact that the obligation of universal military service requires universal military training.

Mr. LYDECKER. If you were to ask me if it did among other things, I would answer yes.

Mr. HARRISON. That was one of the principal purposes of the organization?

Mr. LYDECKER. One of the purposes of the organization.

Mr. HARRISON. The other was to get the country in a state of preparedness?

Mr. LYDECKER. Yes, sir.

Mr. HARRISON. Both in the Army and in the Navy and in the national defense?

Mr. LYDECKER. And in the mental ideas of the people.

Mr. HARRISON. Now, at stated times the National Security League would propond certain questions to Members of Congress, would they not, asking their position on certain measures and certain questions?

Mr. LYDECKER. I understand that the committee on congressional elections this last year did so. I don't know that it was ever before.

Mr. HARRISON. Well, you saw those questions, didn't you?

Mr. LYDECKER. I have seen them.

Mr. HARRISON. You knew what kind of questions your league was propounding to Members of Congress?

Mr. LYDECKER. I think I did.

Mr. HARRISON. You were cognizant of everything that was going on in connection with the league?

Mr. LYDECKER. I was cognizant of many things connected with what was going on in the league—not everything.

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Mr. HARRISON. Now, did Mr. Root attend any of the meetings when the league was first founded?

Mr. LYDECKER. Not to my knowledge.

Mr. HARRISON. Did Mr. Parker—Alton B. Parker?

Mr. LYDECKER. Not to my knowledge.

Mr. HARRISON. Are they members of the executive committee, either of those two gentlemen?

Mr. LYDECKER. Well, I think as a matter of courtesy they would always be regarded as members under the words "officers of the league," but they have not attended the meetings of the executive committee as a rule. I never saw Mr. Root there that I know of, and Mr. Parker has come on several occasions, perhaps on invitation.

Mr. HARRISON. Did Mr. Root and Mr. Parker know the character of literature the league was issuing?

Mr. LYDECKER. I don't know what they knew. I think they had the opportunity of knowing. I think that everything that is printed is sent to all of the officials of the league; whether they ever read it or not or looked at it or knew about it I can't answer.

Mr. HARRISON. Then all the literature that was issued by the National Security League was first submitted to Mr. Parker and to Mr. Root?

Mr. LYDECKER. Never, I think.

Mr. HARRISON. For their approval?

Mr. LYDECKER. Never, I think. I didn't say so, and I don't think the statement is correct in any particular.

Mr. HARRISON. Well, they didn't see it, then, until after it was issued?

Mr. LYDECKER. That is the best judgment that I would form. We make it a point—the clerks are directed to send to every officer the printed material, and I assume that that was done. What success it had in reaching them or what success it had in reaching their brains whether they read it, I can't testify, but it was sent to them.

Mr. HARRISON. Was that issued by the National Security League that pamphlet I hand you [handing pamphlet to witness]?

Mr. LYDECKER. I think so.

Mr. HARRISON. What committee prepared that pamphlet?

Mr. LYDECKER. The committee called the congressional committee Charles C. Orth, chairman.

Mr. HARRISON. Was Mr. Elihu Root or Mr. Alton B. Parker on that committee—either of them?

Mr. LYDECKER. No, sir.

Mr. HARRISON. Neither of them were on that committee?

Mr. LYDECKER. No, sir.

Mr. HARRISON. But the pamphlet that was issued to each Member of Congress, the questions had on it the names of Mr. Root and Mr. Parker?

Mr. LYDECKER. And mine and Mr. West's and Mr. Orth's.

Mr. HARRISON. What was the object in putting Mr. Root's and Mr. Parker's names there if they didn't prepare the questions and had nothing to do with them?

Mr. LYDECKER. I don't know, except as a matter of official propriety and etiquette the names of the officers were put on. We put Mr. Joseph H. Choate's name, when he was honorary president, on because we loved to have his support and aid in our patriotic efforts

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Mr. HARRISON. It was to give dignity to the organization, wasn't it?

Mr. LYDECKER. Well, I don't know that our patriotic efforts were for the purpose of having—showing or securing dignity. We worked for but one aim; we were winning the war. That was the one purpose we had.

Mr. HARRISON. I understand; but, Mr. Lydecker, the names of the honorary president and of the honorary vice president, Mr. Root and Mr. Parker, were they not placed on these pamphlets and these letters in order to have more influence upon the one who received the question?

Mr. LYDECKER. I don't know.

Mr. HARRISON. That would be a matter of opinion.

Mr. LYDECKER. A matter of opinion. The names of these gentlemen appeared on all the literature that the league has published, I think, in the nature of——

Mr. HARRISON (interposing). Will you look at that pamphlet [handing pamphlet to the witness]? Was that issued by the National Security League?

Mr. LYDECKER. Yes.

Mr. HARRISON. What committee prepared that?

Mr. LYDECKER. The committee of which Mr. Orth was chairman.

Mr. HARRISON. You knew that that pamphlet was issued, did you not?

Mr. LYDECKER. Yes.

Mr. HARRISON. You knew what it contained?

Mr. LYDECKER. Well, approximately.

Mr. HARRISON. Did Mr. Root or Mr. Parker see that pamphlet before it was issued?

Mr. LYDECKER. I have no means of knowing—not to my knowledge, they never saw it.

Mr. HARRISON [examining pamphlet]. Now, this pamphlet, Mr. Lydecker, that I have just shown you, headed "Congressional vote on preparedness and war," and asking "What are you going to do about it?" That was issued during the elections this summer, was it not, and distributed throughout the country?

Mr. LYDECKER. I think so. I have no knowledge of the distribution directly. I understand none of it was sent to any Members of Congress.

Mr. HARRISON. You say you understand none was sent to any Members of Congress?

Mr. LYDECKER. I understand so.

Mr. HARRISON. From whom did you understand that?

Mr. LYDECKER. From Mr. Orth.

Mr. HARRISON. Mr. Orth told you that?

Mr. LYDECKER. Yes.

Mr. HARRISON. Why didn't he send them to Members of Congress?

Mr. LYDECKER. I don't know. I had nothing to do with their being sent out.

Mr. HARRISON. It pertained to Members of Congress, didn't it?

Mr. LYDECKER. It pertained to the subject of the election of a Congress for 1919.

Mr. HARRISON. Yes; it gave the supposed record of each Member of the House of Representatives, did it not?

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Mr. LYDECKER. It gave a record, I understood, of the votes on certain questions which were acted on by the House.

Mr. HARRISON. Why did your committee not want to send to each Member of Congress one of these, that each Member was more interested in than anyone else?

Mr. LYDECKER. I don't know. I don't know that it was not.

Mr. HARRISON. I understood you to say it was not.

Mr. LYDECKER. I was told by Mr. Orth that it had not been sent.

Mr. HARRISON. But it was sent everywhere else throughout the country?

Mr. LYDECKER. It was sent to very many places throughout the country, and many of them were sold, I think, to persons who desired to get data.

Mr. HARRISON. How much did you charge them for this pamphlet?

Mr. LYDECKER. That I can not answer you.

Mr. HARRISON. But you charged something?

Mr. LYDECKER. We charged the cost of printing it, whatever it was.

Mr. HARRISON. You had this published also in many papers throughout the United States, didn't you?

Mr. LYDECKER. I don't know; not to my knowledge.

Mr. HARRISON. Now, in this pamphlet that was prepared by your organization, with the question, "What are you going to do about it?" You state in it that this chart shows the votes of each Member of the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eight principal preparedness and war measures. Among them you say, first, the McLemore resolution, March 1, 1917; the Kahn amendment to the Hay Army bill; the Brandegee amendment to the Hay-Chamberlain Army bill; section 56 you mention in No. 5 motion to recommit naval appropriation bill; No. 6, Cooper amendment; No. 7, declaration of war against Germany; No. 8, the Kahn amendment to the conscription act.

May I ask you what was the McLemore resolution?

Mr. LYDECKER. My knowledge of the McLemore resolution is not based on reading the official record, but I understand that the McLemore resolution was a resolution concerning the right of American citizens to travel on ships on the high sea.

Mr. HARRISON. Your organization was very much opposed to the McLemore resolution?

Mr. LYDECKER. Well, we thought that all true Americans believed in upholding the right of Americans to travel on the sea without being sunk by torpedoes.

Mr. HARRISON. Well, your organization was very much in favor then, or opposed to the McLemore resolution, were you not?

Mr. LYDECKER. I don't think there is any doubt of that.

Mr. HARRISON. The Kahn amendment to the Hay Army bill, March 23, 1916—do you know how many men we had in the Regular Army on March 23, 1916?

Mr. LYDECKER. On March 23, 1916? My best recollection of it is we had about 95,000 or 100,000 men.

Mr. HARRISON. And what did the Kahn amendment propose to do?

Mr. LYDECKER. To increase the number.

Mr. HARRISON. To how much?

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Mr. LYDECKER. Well, I think it was 178,000.

Mr. HARRISON. Did you read the debates in Congress on that question?

Mr. LYDECKER. No.

Mr. HARRISON. You never saw the Congressional Record touching it at all?

Mr. LYDECKER. Not to my recollection. I have no recollection of reading any of the particular debates in the Record.

Mr. HARRISON. Did you read the amendment at all?

Mr. LYDECKER. I didn't read the amendment in its legal form.

Mr. HARRISON. Now, the Brandegee amendment to the Hay-Chamberlain Army bill, April 18, 1916—did you ever see that amendment?

Mr. LYDECKER. I don't think so. I think I had nothing to do with the selection of these particular preparedness measures. They were matters that had been taken up by the league and were published in a pamphlet in June, 1916, by this league as evidences of the attitude of the members of Congress on the subject of preparedness, and they were opposed to our principles of national policy.

Mr. HARRISON. What were your principles of national policy that they were opposed to?

Mr. LYDECKER. They were opposed to our principles that the Government of the United States should have a sufficient force to make the letters of the President of the United States declaring any righteous principle as being the principle and purpose of our Government capable of enforcement.

Mr. HARRISON. How much of an army did you think at that time would be sufficient to enforce it?

Mr. LYDECKER. I didn't form an opinion. The general staff was engaged in considering these things, and you gentlemen in Congress were considering them, and we didn't believe that this amendment was a bit too large, and we didn't like to have it opposed.

Mr. HARRISON. You never read the Brandegee amendment?

Mr. LYDECKER. Not from the record. I have read from the newspapers, of course, but I had nothing to do with the preparation of the selection of votes. These votes were votes that had been taken by the league and published as showing the attitude of Congress in June, 1918, and I think that was why Mr. Orth included them in the congressional chart which you have been interrogating me about.

Mr. HARRISON. Did you read the Brandagee amendment in the newspapers, or read of it in the newspaper?

Mr. LYDECKER. I think so.

Mr. HARRISON. You think the amendment was in the newspapers that he read?

Mr. LYDECKER. I think so.

Mr. HARRISON. But you didn't get the Congressional Record to investigate the question and the debate?

Mr. LYDECKER. I didn't investigate these matters? These were matters that were investigated by the committee in charge of the matter. As president of the league, it was not my part of the work.

Mr. HARRISON. Number 4—what was section 56? What did it provide for, do you recall? That was one of the test votes.

Mr. LYDECKER. Well, I think that was the Chamberlain bill.

Mr. HARRISON. You think it was the Chamberlain bill?

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Mr. LYDECKER. I think so.

Mr. HARRISON. What did you think the Chamberlain bill was? You say you think it was the Chamberlain bill. What do you think the Chamberlain bill was? What did it contain?

Mr. LYDECKER. Very many provisions, but this particular section 56 I understand was for the purpose of creating a volunteer reserve force, and it was one of the measures of preparedness that was being advocated by those who thought as we did.

Mr. HARRISON. How many men was this volunteer reserve army to compose, do you recall?

Mr. LYDECKER. Well, I can't tell you that, sir. I don't know how many it was figured out to be.

Mr. HARRISON. Did you read the debates on this section 56 in Congress in the Congressional Record?

Mr. LYDECKER. I did not.

Mr. HARRISON. The only thing you knew about it was from the newspapers?

Mr. LYDECKER. I accepted, as the president of the league, the action of the committee that was working in our patriotic labor to have a loyal Congress in 1919.

Mr. HARRISON. Did you think that every man who voted against section 56 was disloyal?

Mr. LYDECKER. I don't use the word "disloyal" in the objectionable sense that you do, to mean that a man is a traitor. A man, in our opinion, is disloyal to the 100 per cent Americanism when he isn't eager to carry out the ideas that we regard as essential to the dignity of the Nation.

Mr. HARRISON. Did you say you didn't know, that you hadn't read in the Congressional Record, the debates on these questions?

Mr. LYDECKER. I say that I had not.

Mr. HARRISON. So really you were not informed as to the provisions of them, were you?

Mr. LYDECKER. No; and I did not prepare them.

Mr. HARRISON. Then you don't know whether section 56 ought to have been adopted or not, do you?

Mr. LYDECKER. Yes; I think it ought to have been adopted, or if it ought not to have been adopted then, but at some later time, it was at that time an evidence of the intelligent comprehension by our national servants of what the country should have. Gentlemen, who were crying for preparedness should have been supported; measures should have been taken, and I attribute the loss of many lives on the other side to the fact that we had not taken our measures of preparedness earlier.

Mr. HARRISON. Now, you state "preparedness earlier." You mean we ought to have increased the Regular Army fifty or one hundred thousand more men? You think that would have sufficed?

Mr. LYDECKER. Would have sufficed to do what?

Mr. HARRISON. Put the United States in a state of preparedness that would have kept us from having anyone killed.

Mr. LYDECKER. I don't think any one measure is sufficient to do it. I think a continuous set of measures is what is necessary.

Mr. HARRISON. Were you in favor of federalizing the National Guard?

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Mr. LYDECKER. Yes.

Mr. HARRISON. When we did?

Mr. LYDECKER. As a national guardsman of many years' experience I always believed, up to within a recent period, that the citizen soldier should be trained under the direction of the State, according to the Constitution which required the training of the militia by the officers of the State. And I believed consistently that it was a practical impossibility to run a national guard of State officers under Federal control if the State had the authority under the Constitution to conduct the training of the soldiers. Now, that being the word of the law, I didn't see how it could be federalized until the Constitution had been amended.

Mr. HARRISON. It worked very well, did it not?

Mr. LYDECKER. I don't think it ever worked well.

Mr. HARRISON. You don't think we ought to have taken over these 425,000 men in the National Guard?

Mr. LYDECKER. We never did. We had 100,000. We never had 400,000 men in the National Guard. We rolled them up to that.

Mr. HARRISON. Your idea is that we only had 100,000 men when we federalized the National Guard?

Mr. LYDECKER. About 120,000, I think, was the National Guard.

Mr. HARRISON. When did we pass the law federalizing the National Guard?

Mr. LYDECKER. You mean the Dick bill?

Mr. HARRISON. No.

Mr. LYDECKER. You mean the defense act of June 3, 1916?

Mr. HARRISON. Yes: I think it was the Army bill.

Mr. LYDECKER. June 3, 1916, the defense bill, which made the National Guard part of the Regular Army?

Mr. HARRISON. Yes; 1916.

Mr. LYDECKER. What did you ask me?

Mr. HARRISON. You didn't favor that at that time?

Mr. LYDECKER. Oh, yes; I did.

Mr. HARRISON. You didn't favor it at that time?

Mr. LYDECKER. Yes; I did at that time. I thought it was a proper measure in preparedness and I waived all my objections.

Mr. HARRISON. And your idea is that we only turned in at that time 125,000 men into the National Guard by that act?

Mr. LYDECKER. Of June, 1916?

Mr. HARRISON. Yes.

Mr. LYDECKER. Yes; I think that is all that you had at that time. I may be mistaken, but I think that is all you had in the National Guard at that time.

Mr. HARRISON. What is your idea, then, that the Army consisted of: how many men made up the Army in June, 1916, after we had taken into the Federal Army the National Guard, together with the Regular Army?

Mr. LYDECKER. After June, 1916?

Mr. HARRISON. Yes.

Mr. LYDECKER. What has that to do with it?

Mr. HARRISON. I just wanted to know your accuracy. You are criticizing Congress here, your organization is, about preparedness.

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I want to know if you are going to miss it 300,000 men or how much you are going to miss it.

Mr. LYDECKER. I thought you were talking about the Volunteer Reserve Army act of April 18, 1916.

Mr. HARRISON. No; I am talking about the federalizing of the National Guard.

Mr. LYDECKER. In June, 1916, the federalizing of the National Guard was considered proper by Congress. I was satisfied with it, and there was no objection in this chart or in anything that we published that I know of.

Mr. HARRISON. I am asking you how many men, in your opinion, then composed the National Army of the United States after we had federalized the National Guard, that together with the Regular Army?

Mr. LYDECKER. Well, I think that after the defense act was passed and the Medical Corps, the Ordnance and Signal Corps, and all the various divisions which are called the Army, and the National Guard—I presume we had an Army at that time of—well, I can't tell you what it was. I haven't the figures before me.

Mr. HARRISON. You can give a rough idea?

Mr. LYDECKER. I can guess as well as you can, but it would be of no earthly use.

Mr. HARRISON. But you were not guessing when you issued this pamphlet?

Mr. LYDECKER. The pamphlet—does it refer to the defense act or to federalizing the National Guard in any way whatsoever?

Mr. HARRISON. I am going to ask you that in a moment. Right now I am asking you about how many you thought were in the Army, taking into consideration the National Guard and the Regular Army in June, 1916.

Mr. LYDECKER. In June, 1916, I don't think over 300,000.

Mr. HARRISON. Three hundred thousand?

Mr. LYDECKER. I don't know. I don't make that as an answer on oath?

Mr. HARRISON. Now, in this pamphlet naming eight preparedness measures, why did you omit the federalization of the National Guard in this pamphlet as one of the main preparedness measures?

Mr. LYDECKER. I had nothing to do with the insertion or omission.

Mr. HARRISON. But you were the head of the orgainzation that issued it

Mr. LYDECKER. But this is an organization of hard-working and patient men who devote their time and attention to these things, and the chairman of this committee is a man in whom I have the most complete confidence, and that committee worked the matter up, and I never made any criticism of it. I never made any criticisms that I could possibly help of any constructive work.

Mr. HARRISON. Now, Mr. Lydecker, isn't it your opinion now that they should have included that amendment federalizing the National Guard, as one of the main questions?

Mr. LYDECKER. No; I don't consider that the federalizing of the National Guard was an exceedingly patriotic act.

Mr. HARRISON. But you think it was an exceedingly unpatriotic act to have voted against raising the Army from 140,000 to 250,000 men?

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Mr. LYDECKER. At that moment, yes, sir; at that time.

Mr. HARRISON. But no one who votes to federalize the National Guard, that might bring into the Army 425,000 men, should be given credit for that as a preparedness measure?

Mr. LYDECKER. I don't think that chart ever attempted to give credit to anybody in Congress that voted on all the measures that were practically self-evident.

Mr. HARRISON. No; you pick out eight and you say that they were the ones upon which the acid test should apply.

Mr. LYDECKER. Mr. Wilson said that.

Mr. HARRISON. What did Mr. Wilson say?

Mr. LYDECKER. Mr. Wilson wrote the letter concerning Senator Clayborne.

Mr. HARRISON. Senator who?

Mr. LYDECKER. Senator Clayborne. You will excuse me if I don't get the names exactly. I have the facts perfectly clear that Mr. Wilson said——

Mr. HARRISON (interposing). Do you say that Mr. Wilson ever picked out these eight measures as the ones upon which the acid test should apply?

Mr. LYDECKER. No; I didn't say that.

Mr. HARRISON. I understood you did not. That is why I wanted to get it clear.

Mr. LYDECKER. It is clear. I didn't say that. He never picked out these eight. I think he picked out the McLemore resolution. I think he picked out the declaration of war, but Mr. Orth will supply me with that letter if you wish me to tell you exactly what Mr. Wilson said. It was published.

Mr. HARRISON. Now, No. 5, one of the main questions on which the acid test should apply, the motion to recommit the naval appropriation bill, June 2, 1916. How much did the naval appropriation bill, as recommended by the naval appropriations committee, carry?

Mr. LYDECKER. I can't tell you. I don't personally know any of the details concerning that.

Mr. HARRISON. Can you tell me within $50,000,000 what it carried?

Mr. LYDECKER. No; I was never in any way in charge of the details concerning the Navy. Our chairman was J. Bernard Walker at the beginning. We were endeavoring to secure active work in the increase of the Navy, and we published a number of date—statistics, concerning that, but I can not tell you any one of them.

Mr. HARRISON. Can you tell me within $100,000,000 of what the naval appropriation committee recommended to Congress at that time?

Mr. LYDECKER. I can't tell you anything about it. It has not been a matter that has been within my study, examination, or work.

Mr. HARRISON. Can you tell me how much the naval appropriation bill carried for the year 1916 that was passed by Congress?

Mr. LYDECKER. No.

Mr. HARRISON. Therefore, you couldn't tell me how much the increase was as carried in the bill in 1916, over the preceding year in the Navy?

Mr. LYDECKER. No; as president of this league, I must plead absolute ignorance as to that.

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Mr. HARRISON. Can you tell me how much the motion to recommit, that you say those who voted against it committed a wrong act in the opinion of the National Security League, carried?

Mr. LYDECKER. I think it was mainly in the eyes of those who thought that they should have been on the side of the full development of our naval strength.

Mr. HARRISON. You don't know how much money, though, the motion to recommit carried?

Mr. LYDECKER. I don't know the amount of money.

Mr. HARRISON. Could you tell within $50,000,000 how much it carried?

Mr. LYDECKER. I know that your contest in Congress was considered a contest concerning those who were favoring active measures to put the country in a condition of preparedness and those who were not of the opinion—not from disloyalty—it is a matter of vision, a matter of judgment, a matter of education, a matter of intelligence. We don't assail you gentlemen.

Mr. HARRISON. Did you ever read the motion to recommit the naval appropriation bill?

Mr. LYDECKER. No; there was no use of my repeating to you when I have told you that I have no personal knowledge concerning the naval affairs of that particular measure or the dollars and cents concerning the appropriation.

Mr. HARRISON. Then you didn't read the motion to recommit the naval appropriation bill?

Mr. LYDECKER. I have not.

Mr. HARRISON. Did you read the original naval appropriation bill reported by the Naval Appropriation Committee?

Mr. LYDECKER. I probably did. I don't know that I did.

Mr. HARRISON. Do you know how much more the motion to recommit carried than the naval appropriation bill as recommended by the Naval Affairs Committee?

Mr. LYDECKER. Well, I should judge ordinarily a motion to recommit would not carry any precise sum.

Mr. HARRISON. So it is your opinion that the motion to recommit did not carry any precise sum?

Mr. LYDECKER. I don't know.

Mr. HARRISON. Well, is it your opinion that it did not carry any precise sum?

Mr. LYDECKER. I told you that I had no opinion about it, because I try to form opinions upon matters that I have knowledge of.

Mr. HARRISON. Well, is it your opinion that the motion to recommit carried a smaller sum?

Mr. LYDECKER. I told you that I didn't have an opinion upon that subject, because I haven't knowledge to form an opinion.

Mr. HARRISON. Well, now, you cite the vote of each Member of Congress on the motion to recommit that naval appropriation bill.

Mr. LYDECKER. You mean by "you" the National Security League?

Mr. HARRISON. Of which you are the president and closely allied with.

Mr. LYDECKER. Yes.

Mr. HARRISON. And I understood you to say you knew what was going on in the National Security League?

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Mr. LYDECKER. I wonder if the committee will indulge me for a few minutes.

The CHAIRMAN. Yes; we will take a recess now until 1.15 o'clock this afternoon.

(Whereupon, at 12.15 o'clock p. m., the committee took a recess.)

AFTER RECESS.

The committee reconvened after the recess at 1.30 o'clock p. m.

TESTIMONY OF MR. CHARLES E. LYDECKER—Resumed.

Mr. HARRISON. Mr. Lydecker, we finished, I believe, on that motion to recommit the naval appropriation bill I was inquiring about. I want to ask you now about question No. 6, the Cooper amendment, March 1, 1917. Did you ever read the Cooper amendment?

Mr. LYDECKER. I can not say that I read the amendment in its official form. My knowledge of the Cooper amendment, which was the amendment to prevent the United States from sending munitions of war to France. to let the German wolves tear the women and people of France to pieces, as Belgium had been torn, was known to me, I think, through the publications of the press and not from my reading the Cooper amendment as it was officially recorded in the Record—in the Congressional Record. I do not think I ever read that.

Mr. HARRISON. You did not read the discussions in Congress on the Cooper amendment as they appeared in the Congressional Record?

Mr. LYDECKER. No. Only as they appeared in the published reports in the New York papers.

Mr. HARRISON. I notice in this pamphlet issued by the Security League you say the Cooper amendment, March 1, 1917: "This amendment was designed to prohibit to American ships their legal right to carry arms and munitions in their cargoes." Is that your idea of what the Cooper amendment was, as expressed there?

Mr. LYDECKER. Yes; that is my idea.

Mr. HARRISON. You do not limit it to those ships which were armed by the United States, do you?

Mr. LYDECKER. It is not so limited in this, I understand.

Mr. HARRISON. I understand. Is it your understanding now that it did not limit it to ships which were armed by the United States for defensive purposes?

Mr. LYDECKER. You call for my opinion. I will have to think a minute, because the discussions were long at that time, whether the ships were to be armed as warships or whether merchant ships were to be armed, and how the discussion turned on that I can't state at this moment. My recollection is I always considered the merchant ships armed were not warships, and the question of carrying munitions on ships, whether armed or not armed, was not a vital distinction.

Mr. HARRISON. I understand. Is it your impression that the Cooper amendment was considered in Congress, in the House, about

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the same time or at a different time when the armed neutrality bill was up, or of arming ships?

Mr. LYDECKER. It is my impression that the Cooper amendment was prior to the armed neutrality bill. That is my present impression.

Mr. HARRISON. It is your idea, then, that the Cooper amendment was not presented at the time the bill was up for arming the vessels of the country for defensive purposes?

Mr. LYDECKER. I think there was very little lapse of time between the two.

Mr. HARRISON. Yes. But you do not think the Cooper amendment was offered as an amendment to the armed neutrality bill now, do you?

Mr. LYDECKER. That I do not know.

Mr. HARRISON. So you know very little about the Cooper amendment?

Mr. LYDECKER. Oh, I know the substance of the Cooper amendment. And I think it was a most unfortunate thing for any Congress——

Mr. HARRISON. To have opposed it?

Mr. LYDECKER. To refuse to have the countries there that were suffering unsupplied with such material as was necessary for their defense.

Mr. HARRISON. You were president or the head of the National Security League that puts one of the questions out of eight, as the most important preparedness measures, as the Cooper amendment, and yet you dn not know to what bill the Cooper amendment was offered, do you?

Mr. LYDECKER. I do not know the name of the bill it was offered to as an amendment.

Mr. HARRISON. You would be very much surprised, would you not, to know the Cooper amendment was an amendment offered to the armed-neutrality bill and which limited the shipment of arms only to those vessels armed by the United States?

Mr. LYDECKER. No; I would not be surprised by that statement.

Mr. HARRISON. That is in conformity with your idea?

Mr. LYDECKER. Because, as I have stated, I do not regard the arming of merchant ships, the carrying of a gun on an innocent trader, as an act of war.

Mr. HARRISON. You did not consider the armed-neutrality bill as an important piece of legislation, did you?

Mr. LYDECKER. Well, if I had been in Congress I think I should; but as an ordinary citizen I did not think that was one of the most material things.

Mr. HARRISON. As president of the National Security League you do not think it one of the important measures passed by Congress?

Mr. LYDECKER. Not one of the most important.

Mr. HARRISON. It has been suggested by one of my colleagues to ask you if you did not know that the armed-neutrality bill was one of the very few measures that was proposed in a special message by the President to be passed by Congress?

Mr. LYDECKER. I think so.

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Mr. HARRISON. And yet, in your opinion, as president of the National Security League, it was not one of the most important measures passed by the House of Representatives?

Mr. LYDECKER. Oh, I do not say it was not an important measure; but I do not wish to be understood as saying that it was a particular test of the attitude of the Congressmen at that time.

Mr. HARRISON. Your organization proposed to lay down eight tests, or eight special questions. Don't you think that it is fair, in distributing this kind of literature to the country, to also put among your questions those men who voted for the armed-neutrality bill, even though they voted against the Cooper amendment or voted for the Cooper amendment?

Mr. LYDECKER. No. I see no comparison between the issue of those two bills. I think that the Cooper amendment——

Mr. HARRISON. What two bills do you speak about now?

Mr. LYDECKER. The two measures, the armed neutrality and the Cooper amendment, forbidding the transmission of munitions of war to the countries who were able to buy them and to whom they could go. I see no comparison between those.

Mr. HARRISON. I see.

Mr. LYDECKER. Their relative importance does not seem to me to be as great as the question indicates.

Mr. HARRISON. Even though the President thought one—that is, the armed-neutrality bill—was of so much importance that he came to Congress and asked that it be passed by Congress and the other he opposed?

Mr. LYDECKER. What other did he oppose?

Mr. HARRISON. Did the President, in your opinion, advocate the Cooper amendment or oppose the Cooper amendment?

Mr. LYDECKER. Let me get my negative and positive correct. I understand that the President opposed the Cooper amendment.

Mr. HARRISON. Did he oppose or favor the armed neutrality bill?

Mr. LYDECKER. I think he favored the armed neutrality bill.

Mr. HARRISON. I want to ask you about No. 8, and then I will turn you over to some one else. No. 8 is the Kahn amendment to the conscription act of April 27, 1917?

Mr. LYDECKER. Yes, sir.

Mr. HARRISON. Did you ever read the Kahn amendment?

Mr. LYDECKER. Not from the record. Only as I have stated, I have read this other.

Mr. HARRISON. You did not read the Congressional Record of the debates in Congress?

Mr. LYDECKER. Not that I recall at this time.

Mr. HARRISON. Did you know what the bill that was reported out of the Military Affairs Committee contained, that the Kahn amendment was made to?

Mr. LYDECKER. I think I do.

Mr. HARRISON. What did that bill provide for?

Mr. LYDECKER. It provided for the raising of an army by conscriptive and by volunteer measures.

Mr. HARRISON. That was the bill that was reported by the committee that you have reference to?

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Mr. LYDECKER. That was the bill reported by the committee, as I understand it.

Mr. HARRISON. And to what limit was the number to volunteer?

Mr. LYDECKER. I do not know.

Mr. HARRISON. Can you give us any idea?

Mr. LYDECKER. I understood it was in the discretion of the Commander in Chief.

Mr. HARRISON. No number stipulated?

Mr. LYDECKER. I do not think there was. I do not know.

Mr. HARRISON. And what is your idea about the Kahn amendment; what did it provide?

Mr. LYDECKER. That it strike out from the bill the measure of raising this army by volunteers in any part.

Mr. HARRISON. Is it your opinion that the original bill, as reported by the Military Affairs Committee, provided for first trying to raise a volunteer army of a million men, giving to the President the power, in his discretion, not to raise it by volunteers at all if he thought he could not raise it by the volunteer system; and if, in his opinion, he thought he could not raise it by the volunteer system to apply the conscription immediately?

Mr. LYDECKER. It was not my impression that he was obliged to resort to the volunteer system and to demonstrate his inability first to do so. It may be the fact, but I did not understand that that was the provision of the bill.

Mr. HARRISON. Your impression was that he first had to resort to the volunteer system?

Mr. LYDECKER. No.

Mr. HARRISON. It was not?

Mr. LYDECKER. No. My impression was that it was permitting the President to resort to both.

Mr. HARRISON. To resort to both?

Mr. LYDECKER. That was my impression.

Mr. HARRISON. That he was compelled first to try the volunteer system?

Mr. LYDECKER. I did not say that. I said the reverse of that; that it was in his discretion to raise the Army in both ways.

Mr. HARRISON. In other words, if he did not want to apply the volunteer system at all, under the provisions of the bill, he was not compelled to do so: is that your impression?

Mr. LYDECKER. If the bill were passed, he had to resist the contentions of a very large portion of the Nation, and it more or less paralyzed the process of raising an army by your universal conscription, selective conscription, which was based on the fundamental notion of equality in a democracy. That was my idea.

Mr. HARRISON. I understand. You were for the conscription, but you did not know what the original bill contained?

Mr. LYDECKER. I think I told you I knew what it contained. That was my impression, that you asked me what my understanding was.

Mr. HARRISON. I understood you to say it was your impression there was no limit fixed?

Mr. LYDECKER. No limit in numbers?

Mr. HARRISON. As to the number that might volunteer, and that it was not left within the discretion of the President to say he

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would not apply the volunteer system at all and resort immediately to conscription.

Mr. LYDECKER. I did not say resort to one or the other. I understood the bill left to the discretion of the President whether he would raise it by conscription, by volunteer, or both. That mixed the question up and did not leave a clear, defined process of raising an army by the conscriptive method which we believed was the true and fair way and the rapidest way to get an army into the field.

Mr. HARRISON. Did you favor or oppose the raising of a third division to send President Roosevelt across?

Mr. LYDECKER. I thought—I did not take any active part in favor or otherwise. If you want to know my opinion, I do not hesitate to state it.

Mr. HARRISON. I ask for your opinion.

Mr. LYDECKER. My opinion was it was a very undesirable thing to send President Roosevelt over there in command of a division or of an army corps, or of any part; or to start raising an army by the hurrah process.

Mr. HARRISON. You have made the test vote on the Kahn amendment to the conscriptive-draft bill. You said nothing in this pamphlet, or your organization has said nothing in this pamphlet, on the final passage of the selective-draft bill.

Mr. LYDECKER. That is true.

Mr. HARRISON. Didn't you think it was fair to put that vote of the Members on the final passage of the selective-draft bill in, irrespective of how they voted on the Kahn amendment?

Mr. LYDECKER. I think if I had been making a canvass of returning yourself or any other Member that it would have been entirely fair to have stated your record in toto. I think that the effort of the Security League in presenting a set of data to the people at large, without regard to party or politics, or anything else, that they were doing a public service by publishing the record of Congress as it was published. It was not the intent to be in any way unfair, but it was intended to be a statistical statement of certain points in the course of our war and preparedness legislation which would be interpreted and leave every Congressman free to explain his own attitude. In your own case, I regarded your votes—I did not pay much attention to them then—in regard to the main features as in all respects admirable; and any explanation, which I perhaps did not clearly appreciate as fully when I first saw this chart, that there were certain party measures that lead to the amendments, that have not been found fault with by being criticised as tests, it was perfectly easy for anyone to explain that and it was not necessarily an imputation of un-Americanism in them if so explained.

Mr. HARRISON. Then to that extent you think the chart is unfair?

Mr. LYDECKER. No: I do not think the chart is unfair. I think the chart has given the record of the entire Congress, and every man must stand on his record just as he has made it.

Mr. HARRISON. Don't you think it would have been fairer to have embodied all the final votes on those measures and some other measures?

Mr. LYDECKER. I certainly think it would, if it related to any individual or was a campaign for any particular election or any particu-

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lar candidate's election; but it was simply impossible to state, in presenting this data, all the war measures, the very many war measures that men voted on in the natural course of events.

Mr. HARRISON. You have, for instance, in your pamphlet the motion to recommit the naval appropriation bill. There was a bill brought out of the committee carrying the recommendations of the naval authorities and which increased the appropriation over the preceding year upward of $100,000,000 and carefully considered by the committee. A motion to recommit was made by Mr. Browning. It had not been considered by anybody else except Mr. Browning that it did not even provide for battleship cruisers. Now, do you think it is fair to give the vote of the men who voted against that motion to recommit and to say nothing about the vote of those men who stood by the committee on the bill that was fully considered by the Navy Department and carrying over $100,000,000 increase over the previous naval appropriation bill?

Mr. LYDECKER. My answer to that is that the Security League had in the summer of 1916 published a record of the votes upon certain measures in accordance with the advice of certain experts.

Mr. HARRISON. Who were those experts?

Mr. LYDECKER. Well, I think Mr. Stimson was one of the men who had been Secretary of War.

Mr. HARRISON. Yes.

Mr. LYDECKER. And Mr. von Meyer, who had been Secretary of the Navy.

Mr. HARRISON. Yes.

Mr. LYDECKER. They were both very closely associated with our efforts at preparedness.

Mr. HARRISON. And who else was consulted as experts?

Mr. LYDECKER. I can not recall.

Mr. HARRISON. You only recall those two?

Mr. LYDECKER. I do. I recall those two. I recall very well Mr. von Meyer's very eloquent pleas and complaints at the failure to have the naval complement filled out.

Mr. HARRISON. Were they consulted on every one of these eight votes, and their advice was that those eight questions should be picked out to apply the acid test?

Mr. LYDECKER. I do not say that, because I do not know but what Mr. von Meyer had died before the last of the eight. I am speaking of the four votes at the last of June.

Mr. HARRISON. What four were they?

Mr. LYDECKER. The first four in this list, which were submitted in the pamphlet published by the Security League in July, 1916—the voting by States in the Senate and House on preparedness measures.

Mr. HARRISON. What were those four measures?

Mr. LYDECKER. And Mr. Auth, in compiling this congressional chart, simply adopted what had been done, as far as those four went, by the Security League in June, 1916.

Now, those four measures: The Kahn amendment to the Hay Army bill of March 23, 1916; the Brandegee amendment to the Hay bill of April 18, 1916; the vote on the motion to recommit the naval appropriation bill with instructions for an increase. Those instructions included the proposition to provide two dreadnaughts and other craft, in addition to the capital ship program of five battle cruisers.

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Mr. HARRISON. What was the fourth one?

Mr. LYDECKER. I thought I mentioned four.

Mr. HARRISON. You mentioned three.

Mr. LYDECKER. I omitted the third in this list, the proposition to strike out section 56 of the Chamberlain Senate substitute, which provided for a volunteer reserve army wholly under Federal control.

Mr. HARRISON. I think I do not want to ask him any further questions.

Mr. JOHNSON. Mr. Reavis, I believe you want to ask some questions.

Mr. REAVIS. Yes. Mr. Lydecker, I understood you to say that this chart that I hold in my hand, comprehending eight so-called test votes, was submitted to you before it was sent through the Nation?

Mr. LYDECKER. I think so, sir. I think it was. I saw it after it had been prepared.

Mr. REAVIS. And that it met with your approval?

Mr. LYDECKER. I did not disapprove it. I had nothing to do with its preparation.

Mr. REAVIS. I did not ask you whether you disapproved or whether you assisted in its preparation. I ask you whether you stated it had not met with your approval.

Mr. LYDECKER. Officially; yes, sir.

Mr. REAVIS. Now, the purpose of your organization, as you have stated several times during the progress of your examination, was exclusively patriotic?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. And nonpolitical in every way?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. Near the top of this statement, after you define the eight several propositions, I find the line in large black letters, "What are you going to about it?" To whom did that refer and to whom was that question addressed?

Mr. LYDECKER. To all who might read that chart.

Mr. REAVIS. Well, now, if it were addressed to children and women in many of the States, what could they do about it?

Mr. LYDECKER. That is not for me to say—what children or women could do about it.

Mr. REAVIS. Was not that interrogatory addressed to the voters of the United States?

Mr. LYDECKER. It certainly was intended to be addressed to all voters and those having any influence over voters.

Mr. REAVIS. And that was its final and ultimate purpose?

Mr. LYDECKER. No doubt of that.

Mr. REAVIS. And in order that they might be apprised of the actions of their Representatives in the Congress?

Mr. LYDECKER. Undoubtedly.

Mr. REAVIS. Now, you would not want to influence voters nor would your league want to influence voters by any unfair statements regarding the records of any Members of Congress, would you?

Mr. LYDECKER. It was most earnestly desired we should not.

Mr. REAVIS. Yes. And with that idea in your mind, as president of this National Security League, that this was a fair record, that

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it fairly represented the votes of the Members of Congress upon eight measures, you approved this document?

Mr. LYDECKER. Yes; in conjunction with all the other knowledge we endeavored to have. In fairness I think if there is complaint about a questionnaire which this committee sent, it was desired to have everybody state their view and their position as fully and completely as they would, and we expressed our desire to give as much publicity to that as to any other matter.

Mr. REAVIS. But the questionnaires which you sent out did not relate to these eight propositions which you think are fundamental?

Mr. LYDECKER. I think they relate to every principle involved in those eight votes and gave everybody an opportunity to say anything concerning them.

Mr. REAVIS. Was there any questionnaire ever sent to a Member of Congress by your league, so far as your knowledge extends, with reference to any of the eight measures that are comprehended in this circular?

Mr. LYDECKER. I do not know that there was any questionnaire specifically referring to those.

Mr. REAVIS. Then, the questionnaire has nothing to do with what I am asking you. What I am asking you is this, did you approve of this as the president of the National Security League, as a fair résumé of the votes of the Members of the Lower House upon these eight measures?

Mr. LYDECKER. Upon those eight measures; yes.

Mr. REAVIS. Now, you state that the McLemore resolution related to the right of American citizens to travel abroad or to use ships going abroad. That was your idea of it?

Mr. LYDECKER. Very nearly my statement.

Mr. REAVIS. Now, I would like to ask you one further question: What document is it that you read from before you answer any of these questions?

Mr. LYDECKER. Merely a summary of the eight measures voted so that I have them before me; and not to be confused when you refer to the chart.

Mr. REAVIS. Did you prepare the summary?

Mr. LYDECKER. No.

Mr. REAVIS. Did you have anything to do with its preparation?

Mr. LYDECKER. No.

Mr. REAVIS. Then, I wish you would answer my question without reading that summary, because I am trying to test your knowledge of this thing from what you remember of it.

Mr. LYDECKER. May I look at the chart, then?

Mr. REAVIS. I would prefer that you look at nothing you did not prepare yourself, because I want to know what you know about it, and not what somebody else has written on the subject. What was the vote on the McLemore resolution; on the merits of the resolution? [After a pause:] How did the matter come before Congress?

Mr. LYDECKER. I can not answer you the technical questions as to why you present matters in the House on various measures without referring to something to find out whether is was a motion to recommit, or to amend, or to strike out. I can not answer your question offhand.

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Mr. REAVIS. In No. 1, of this pamphlet, which met with your approval as president of this league, I find the following:

McLemore resolution, March 7, 1916. This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas.

Then when you give the summary of the votes; you give those voting for and those voting against the McLemore resolution. Was the McLemore resolution ever voted on in Congress at all?

Mr. LYDECKER. I can not answer you the question whether the McLemore resolution, as a resolution, was voted on, or whether there was a test vote, which you have the ability to take in your House, which shows the exact attitude of the Members of the House. I can not answer you that question without having the Congressional Record before me.

Mr. REAVIS. Yet you approved of the circulation of this document through the Nation, which charged that men voted for or against this resolution?

Mr. LYDECKER. I did.

Mr. REAVIS. Without knowing whether they voted for or against it at all—or not?

Mr. LYDECKER. No; I did not say the resolution. You did not read the resolution. You said that this—as you read it—was to prevent people from pursuing their natural right upon the high seas. You did not read the language of the resolution at all.

Mr. REAVIS. I am quoting what the National Security League, in this pamphlet, said the resolution was.

Mr. LYDECKER. Yes; you ask me whether the Congress voted on that, and I answered you that that was not exactly what they voted on; it was our language concerning the substance of the matter upon which you voted.

Mr. REAVIS. Then, let me ask you this: Did Congress ever vote on the McLemore resolution?

Mr. LYDECKER. I have told you that I am unable to state whether the McLemore resolution ever came to an actual vote or not. I can not tell you whether this test vote was on a motion to recommit, or on a motion to amend, or to strike out, or on the various parliamentary ways of making a test vote made in your House. But there is no doubt the vote took place on the question in your minds whether or not everybody should be prohibited from going on an English ship when an English ship might be torpedoed.

Mr. REAVIS. You say there is no doubt. What is the source of your information on that proposition, as to whether there is any doubt?

Mr. LYDECKER. A vast amount of literature appearing in the reports in the daily press and the discussions concerning it, which I have heard and read.

Mr. REAVIS. Yes. Then from rumor you have heard discussed and from reading the newspapers, you as president of the National Security League approved a circular, and upon that information alone, charging Members of Congress with voting for or against the resolution that you do not know was ever voted on at all?

Mr. LYDECKER. Not true. Not quite correct, sir. It was approved——

Mr. REAVIS. Do you not charge, Mr. Lydecker——

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Mr. LYDECKER. May I answer your question?

Mr. REAVIS. Surely.

Mr. LYDECKER. It was approved by me upon these matters you speak of and also upon the careful examination, as I understand, of the committee of our National Security League, that I believed looked into this matter and so stated in that chart.

Mr. REAVIS. We will get to the actions of the committee in due season. I am asking you, now.

Mr. LYDECKER. You are asking me, and I am answering I relied upon that.

Mr. REAVIS. And without any knowledge as to whether the vote was ever taken, or not, other than newspaper reports and rumors you may have heard in conversation?

Mr. LYDECKER. That the vote was taken on what?

Mr. REAVIS. On the McLemore resolution.

Mr. LYDECKER. On the resolution itself?

Mr. REAVIS. On the resolution itself.

Mr. LYDECKER. I do not know whether the test vote was on the resolution or not.

Mr. REAVIS. Yet, you approved the statement of your league, as its president, that the vote was taken, and giving the votes of the Congressmen as yes or no?

Mr. LYDECKER. It does not state the vote was taken on the McLemore resolution.

Mr. REAVIS. The McLemore resolution, according to this pamphlet prepared by the National Security League—I will wait until you refresh your memory, if you want to look at those papers. No. 1. McLemore resolution, March 7, 1916: "This resolution was to the effect that American citizens should forgo their natural, legal, and constitutional rights to travel on the high seas." Then following that comes the names of the Congressmen voting right or wrong on that proposition. And you approved it without knowing whether the proposition was ever voted on in Congress at all?

Mr. LYDECKER. No, I did not. I approved it on knowledge that it had been voted on to the effect that our citizens were denied the right to travel on those ships.

Mr. REAVIS. Do you know how the McLemore resolution came to get before the House of Representatives?

Mr. LYDECKER. No.

Mr. REAVIS. Have you ever read in the press or heard conversation relating to that?

Mr. LYDECKER. Just how it came to me I do not know.

Mr. REAVIS. To refresh your recollection, do you recall the President demanding publicly that the Congress announce its position upon that proposition, and it was in response to his desire that the resolution was reported out of the committee, so that Congress could announce its position?

Mr. LYDECKER. I do not recall that fact.

Mr. REAVIS. You do not recall it?

Mr. LYDECKER. I do not.

Mr. REAVIS. Do you know whether or not this resolution came up on a motion to table?

Mr. LYDECKER. No. As I have told you, the test votes upon those matters in your House may be taken in half a dozen different ways,

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and I can not be convicted of error by being caught on the question whether the specific vote was on the resolution or not. I can not do it.

Mr. REAVIS. I want to submit this to you, as to whether or not it would appeal to your sense of fairness, if this resolution came before Congress reported out of committee in response to a request of the President, and a motion was made to table it, and a Member in the course of the debate announced his antogonism to it and his intention to vote against it because it was an abandonment of the right that an American citizen had under international law; that he thought inasmuch as the President wanted the question definitely settled that it should be determined upon its merits, and for that reason would vote against tabling it—do you think it would be entirely fair to announce that man as being in favor of the resolution?

Mr. LYDECKER. I believe it would be more fair if we could have stated in regard to any man that in his heart, had we known that fact, he wished to kill it and he would kill it when it came up or reached a vote, and therefore he did not want to table it. I would like to have had that done; and if I had known of any case of that kind. I would not have treated any man unfair in that regard, but I did not know of any case of that kind.

Mr. REAVIS. I am going to call attention to my own case. In the debate I announced my opposition to the McLemore resolution and my intention of voting against it, and that I thought it ought to be voted on on its merits, in response to the request of the President, and for that reason I would vote against tabling it. Now, do you think it quite fair to announce me as being in favor of it in this circular?

Mr. LYDECKER. I do not hesitate to express regret if your attitude was fully stated in that regard, if it appears in any way to show on the vote that possibly you were supporting the McLemore resolution. But I can not say, if that was so, that it ever injured you in the public eye.

Mr. REAVIS. If this circular was sent out through my congressional district, announcing I had voted in favor of the McLemore resolution, which was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas, do you think that would injure me in my community?

Mr. LYDECKER. Not if it were publicly stated in the course of your campaign or your election, which any newspaper would do, you had expressed yourself in the Congressional Record as heart and soul opposed to the resolution. I can not see but what it would be perfectly possible for anybody to prevent any harm coming to him.

Mr. REAVIS. What moral right has your institution to put me, as a Member of Congress, under the necessity of explaining or proving my loyalty to my people?

Mr. LYDECKER. I do not know we have any moral right to compel anybody for election to Congress, except I believe it is the right of anybody who is interested in a congressional representative to say something about the proceedings in Congress.

Mr. REAVIS. But, now, if you say something, ought it not to be true?

Mr. LYDECKER. Of course. Technically true is a demand that I recognize as fully as anybody in the world. I would not do an injustice to anybody, but the tabling of a resolution was understood to be

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the killing of the resolution. And if there was a private unde standing——

Mr. REAVIS. How do you know that was the understanding, if yo did not know a minute ago that it came up on a motion to table it?

Mr. LYDECKER. I said I did not recall. But I recall now from wha you say to me of its being brought to my attention subsequently, think by Mr. Bainbridge Colby, or something; but we had publishe our data in perfect good faith.

Mr. REAVIS. Supposing your association, inspired by public motive should send out in a district of a Member of Congress a statemen that he was opposed to American citizens availing themselves of thei natural, legal, and constitutional rights to travel on the high sea and an epidemic of influenza should come along and the Congressma had no opportunity of explaining to his people that charge was no true. Do you think your association would have been entirely fai with him?

Mr. LYDECKER. Well, sir, I have no doubt that in any attempt t express everything concerning matters relating to the conduct of th war, that there may not be some qualification required that the record of these votes that we made were not of the individual vote. I do no see that anybody was condemned on his one vote on the McLemor resolution. I think the entire eight came into consideration. I d not know whether any candidate for Congress had any obligation t express what his test votes were on the entire eight.

Mr. REAVIS. I find this further statement: When no designatin mark appears opposite a Congressman's name, it indicates he voted right; an (X) indicates that he voted wrong. There is an (X) afte my name on the McLemore resolution. What right, what moral right——

Mr. LYDECKER. May I look at this paper?

Mr. REAVIS. Yes; look at the paper.

Mr. LYDECKER. This is a chart——

Mr. REAVIS. What moral right did your organization have to stat I was wrong upon the McLemore resolution?

Mr. LYDECKER. Because we have a right to an opinion concernin the value of any measure in Congress.

Mr. REAVIS. Now, that opinion should be the product of facts should it not?

Mr. LYDECKER. Always.

Mr. REAVIS. Was it in this case?

Mr. LYDECKER. It was.

Mr. REAVIS. When in the course of the debate a Member of Con gress announces his opposition to tabling a resolution, believing th matter should be determined upon its merits, and announcing he wil vote against tabling the resolution in order that it may be dispose of on its merits, was it a statement of fact that that Congressma was in favor of that resolution?

Mr. LYDECKER. If the House as a whole disposed of the McLemor resolution on a motion to table I can not see that the individual ac of two or three men is going to qualify the value of that vote.

Mr. REAVIS. I am not speaking of the vote as a whole; I am speak ing of the individual vote of two or three men. Was it not your duty and the duty of your organization, if you were going to send the rec

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ords of Congressmen through this Nation, to send the record correctly?

Mr. LYDECKER. It would please me far better if that statement had been made there, that the vote was on a motion to table.

Mr. REAVIS. Why wasn't it put in here that the vote was on a motion to table? What design did your organization have in representing that the vote was on its merits?

Mr. LYDECKER. I do not think there was any design, sir, except to state the fact that the McLemore resolution was killed on a vote and that those who voted on that killing voted so and so. That was all. And if they should have stated that there might be somebody in the House who voted not to table because he wanted a further vote, I believe it would have been fairer to have it so stated, if it had been called to my individual attention. Our committee on Congress will probably state how fully they knew that. I did not, because it was not my business.

Mr. REAVIS. I am just asking you. The point I am getting at is you are approving a document that purported to represent the record of the Congress and your approval of the act of the organization sending out those records was upon something that you did not know.

Mr. LYDECKER. Something the entire details of which I did not know, but something about which I knew a great deal.

Mr. REAVIS. Then why did you approve it, if you did not know?

Mr. LYDECKER. Because I knew enough to know the McLemore resolution was a most treacherous resolution to have been disposed of by that method.

Mr. REAVIS. But you did not know how it was disposed of?

Mr. LYDECKER. I did know how it was disposed of; it was tabled.

Mr. REAVIS. You know now, but you did not know a few moments ago.

Mr. LYDECKER. I knew it was tabled. I did not recall, when asked first, whether it was disposed of on a motion for tabling, but I told you it might have been disposed of by one of three or four test votes.

Mr. REAVIS. Now No. 6. Cooper amendment, March 1, 1917: Do you know now, of your own knowledge, what bill that amendment was offered to?

Mr. LYDECKER. Was that the embargo matter?

Mr. REAVIS. That is what you call an embargo matter, yes.

Mr. LYDECKER. What do you call it; what would you call it?

Mr. REAVIS. We will get to that in a moment.

Mr. LYDECKER. Then you must, to enable me to answer you carefully——

Mr. REAVIS. Then I would like to put in the record again you are again refreshing your recollection from a document with the preparation of which you had nothing to do.

Mr. LYDECKER. I wish you would withdraw that from the record and say I am referring to a congressional chart which I have testified concerning my knowledge of.

Mr. REAVIS. This is the first time we have seen this congressional chart in your hand.

Mr. LYDECKER. I told you, sir, I had a little memorandum which gave the eight votes here, prepared from this, which was a more con-

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venient way to handle it; but I do not object to referring to this if you wish me to. I wish you would withdraw——

Mr. REAVIS. I am now reading from this circular: "Cooper amendment"—I am quoting—"March 1, 1917. This amendment was designed to prohibit to American ships their legal right to carry arms or ammunition in their cargo." To what measure was that amendment offered?

Mr. LYDECKER. My recollection, after the interrogations of Senator Harrison, leads me to suppose that it was in regard to the armed neutrality. I am not sure.

Mr. REAVIS. It was your understanding at the time you drafted this document that the Cooper amendment placed an embargo upon the shipment of arms and munitions, was it not?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. And that is still your impression?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. Do you not know that before the armed-neutrality measure was considered in Congress that American ships had been armed from August, 1914, when this war began, up to the time when the armed-neutrality bill was in Congress?

Mr. LYDECKER. That ships had been armed?

Mr. REAVIS. Yes, sir.

Mr. LYDECKER. I never had a doubt that many ships carried arms, but I had no knowledge personally of it.

Mr. REAVIS. Did you not know that individuals and companies owning ships had been arming them during the whole progress of this war without any objection from anybody?

Mr. LYDECKER. I hoped so, but I did not know it.

Mr. REAVIS. You did not know it. Did you not know that the armed-neutrality bill gave any individual owner the right to arm, but to give the President of the United States the right to arm would make it a governmental action?

Mr. LYDECKER. That I understood.

Mr. REAVIS. How long have you been a lawyer, Mr. Lydecker?

Mr. LYDECKER. Over 40 years.

Mr. REAVIS. I take it for granted that you are familiar with international law that gives the right of search and seizure under certain conditions?

Mr. LYDECKER. Yes.

Mr. REAVIS. You are familiar with the international law that gives the right to search and to seizure to ships carrying contraband and those articles which by international agreement have been made contraband?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. You know that?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. Do you not know that the Cooper amendment was merely an amendment that limited the right of the President to arm ships to this extent—that he could not arm ships carrying contraband?

Mr. LYDECKER. I was not clear in my mind that it related solely to contraband; but whether it did or not, it does not change my opinion.

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Mr. REAVIS. Do you not know, as a lawyer, that to arm a ship carrying contraband is recognized in international law as a denial of the right to search and to seize?

Mr. LYDECKER. No.

Mr. REAVIS. You do not know that?

Mr. LYDECKER. No.

Mr. REAVIS. What would be the purpose, in your judgment, of arming a ship, the Government itself arming a ship, carrying munitions which under international law it had no right to carry?

Mr. LYDECKER. What would be the moral, the legal and the constitutional effect?

Mr. REAVIS. No; what would be the purpose of the United States conduct in arming ships carrying contraband?

Mr. LYDECKER. The purpose would be if it were against a nation which was totally disregarding international law and sinking anything which came within the perview of its activity—the effect would be to do nothing but to assert the desire of the Government, that authorized such arming, to permit the vessels to go through.

Mr. REAVIS. And to deny the right of search and seizure if a proper demand were made under international law?

Mr. LYDECKER. I can not conceive at that time why the question of the right of search and seizure by any German ship should have been considered for five minutes.

Mr. REAVIS. That would be your answer to that?

Mr. LYDECKER. That is my answer to that.

Mr. REAVIS. Don't you know, as a matter of fact, Mr. Lydecker, that the armed-neutrality bill and the Cooper amendment to this armed-neutrality bill was before the Congress sometime before America entered into this war at all, and we were not a belligerent party to the war?

Mr. LYDECKER. Well, I think it was a month or two; I think it was a month of two; not much more.

Mr. REAVIS. Yes.

Mr. LYDECKER. The situation was extraordinarily acute.

Mr. REAVIS. Don't you know further the Cooper amendment did not seek to restrict the carrying of munitions to any of the belligerent parties; that it had no such purpose and could not be construed as having such a purpose?

Mr. LYDECKER. I do not know that.

Mr. REAVIS. Suppose the Cooper amendment was this, that it sought to limit the power of this Government, acting through the President, to arm ships, to those ships that were not carrying contraband. Would you say it was an embargo amendment?

Mr. LYDECKER. You are stating the entire content of that Cooper amendment?

Mr. REAVIS. I am stating the subject matter of that Cooper amendment.

Mr. LYDECKER. That if that was the subject matter of that Cooper amendment?

Mr. REAVIS. That if that was the subject matter of the Cooper amendment?

Mr. LYDECKER. And the entire subject matter?

Mr. REAVIS. Yes; and the entire subject matter.

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Mr. LYDECKER. And may I ask you you to repeat that?

Mr. REAVIS. Suppose that the Cooper amendment was in its effect to limit the power of the President in arming ships to the extent that he would not be permitted to arm ships carrying contraband, or carrying munitions of war, put it?

Mr. LYDECKER. I understand that is a different proposition from the one you last insinuated.

Mr. REAVIS. In principle it is not different, because munitions are contraband.

Mr. LYDECKER. Exactly.

Mr. REAVIS. Now, supposing the Cooper amendment had for its sole purpose the denial to the President of the right to put arms on ships carrying contraband to belligerent powers, or munitions to belligerent powers, if you prefer that, would you say that it was an embargo amendment?

Mr. LYDECKER. Yes.

Mr. REAVIS. Notwithstanding private vessels had been and could continue, if this amendment were enacted into law, to carry munitions without limit?

Mr. LYDECKER. Armed or unarmed?

Mr. REAVIS. Armed or unarmed.

Mr. LYDECKER. How could they be unarmed if the Government had the sole right to direct the arming or control the arming.

Mr. REAVIS. Because this was a power that was granted to the President to arm in the name of this Government only those ships that were not carrying munitions. Now the armed neutrality bill gave the power to the President to arm ships. The Cooper amendment sought to limit that power so that the arms should not be put on munition ships. Now, would you say that was an embargo?

Mr. LYDECKER. And you ask me if I consider that was an embargo?

Mr. REAVIS. Yes.

Mr. LYDECKER. And I answer you I consider it was a most improper embargo, if we had the right to sell munitions to France. If we had no right, then it certainly should have been embargoed.

Mr. REAVIS. There is not anybody disputing the right to sell to France and England both.

Mr. LYDECKER. Or Germany, either?

Mr. REAVIS. Or to Germany, either; but you said in number 6 here, the amendment was designed to prohibit to American ships their legal right to carry arms and munitions in their cargoes.

Mr. LYDECKER. It certainly was, in our opinion.

Mr. REAVIS. Now if that amendment limited the right of the President to arm ships that did not carry munitions, would you say that amendment was an embargo on the taking of munitions?

Mr. LYDECKER. I say so. I say that is my judgment about it.

Mr. REAVIS. What would prevent those ships from carrying munitions?

Mr. LYDECKER. The right of those ships to carry arms being within the power of control of the President. You say that munitions could be carried on unarmed ships——

Mr. REAVIS. I am not saying anything about it: I am merely saying what the Cooper amendment says.

Mr. LYDECKER. Any law which prevents any ship from arming in self-defense, or any law which attempts to make ships which may

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be carrying munitions—which we have a perfect right to sell and deliver—to go without arms, is an embargo on that transmission of munitions.

Mr. REAVIS. Would it not have been fairer to say that the Cooper amendment had for its purpose the not permitting of the President to put arms on ships carrying munitions, rather than to leave the impression by your language that the Cooper amendment was for the purpose of preventing ships from carrying munitions?

Mr. LYDECKER. The legal effect is the same. The same objection has been made in regard to conscription and to volunteer. We intended to say that by putting that crimp into the power that it was an interference with it. That is what we intended there, and it was.

Mr. REAVIS. Why didn't you say so; why did you say it is an embargo, when, in fact, it is not an embargo?

Mr. LYDECKER. I do not agree with you; I certainly think anything which interferes with or prevents is in the nature of an embargo.

Mr. REAVIS. Then it would be, in your judgment—the mere fact of taking arms off these ships or, rather, the mere fact of not permitting the President, acting for the Government, to arm those ships would operate as an embargo?

Mr. LYDECKER. Would operate as an interference with the right which you say had been exercised since 1914, without control. And if that is the freeman's right, why should it not be continued?

Mr. REAVIS. Then, in your judgment, No. 6, where you state, "This amendment was designed to prohibit to American ships their legal right to carry arms or munitions in their cargo," clearly and fairly states the purpose of the Cooper amendment?

Mr. LYDECKER. In effect; yes, sir. I must insist on that as my opinion.

Mr. REAVIS. How long have you been a lawyer, Colonel?

Mr. LYDECKER. I was admitted in the year 1873.

Mr. REAVIS. And have you been practicing all that time in New York?

Mr. LYDECKER. Yes, sir; private clientage.

Mr. REAVIS. I beg your pardon.

Mr. LYDECKER. Yes, sir; with a private clientage.

Mr. REAVIS. Now, have you ever been a member of the Military Establishment of the United States?

Mr. LYDECKER. I was a member of the National Guard of the State of New York.

Mr. REAVIS. With what rank?

Mr. LYDECKER. I carried a gun for 10 years. I went through the grades to corporal, sergeant, first sergeant, and I was a commissioned officer for a great many years. I was captain of my company for over 12 years; I was major of the battalion for over 8 years; and I was retired and subsequently commanded the Depot Battalion during the Mexican affairs; and I have been a member of the Military Service Institution on Governors Island.

Mr. REAVIS. When you testified you were a colonel, is that a military colonel?

Mr. LYDECKER. Yes; I am a regimental colonel by act of the State of New York.

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Mr. REAVIS. You say you have a private clientage in the city o New York?

Mr. LYDECKER. Yes.

Mr. REAVIS. And you have been practicing there since the earl seventies?

Mr. LYDECKER. Yes.

Mr. REAVIS. You say your practice now is, in part at least, mad up of estate matters?

Mr. LYDECKER. Almost entirely, I might say.

Mr. REAVIS. In those estate matters, under the laws of New Yor is an appraisement made of the estate?

Mr. LYDECKER. There is an appraisement for the purpose of asses ing the tax on death, the transfer tax; and also a Federal appraise ment is made.

Mr. REAVIS. Is there an appraisement made that is made a part o the court records so as to inform the court with reference to the siz of the bond required for an executor?

Mr. LYDECKER. No; not as I recall——

Mr. REAVIS. Is the appraisement made as part of the purpose fo taxation or inheritance tax?

Mr. LYDECKER. Mostly.

Mr. REAVIS. I beg your pardon.

Mr. LYDECKER. Yes; more particularly. The old method wa when an administrator was appointed an appraisement would b made; but at the present time I think executors do not have an ap praisement made in addition to this made for the purpose of return ing the transfer tax.

Mr. REAVIS. Those appraisements or inventories are made a par of the records?

Mr. LYDECKER. Entirely.

Mr. REAVIS. Then it is not asking you with reference to any confi dential matter to ask you with reference to bonds held by any of th estates in your charge, is it?

Mr. LYDECKER. What about bonds held in estates?

Mr. REAVIS. The question was asked you by Mr. Harrison wha railroad bonds were held by the estates in your charge and you de clined to answer because it was a confidential matter.

Mr. LYDECKER. Oh, yes.

Mr. REAVIS. If that is made a matter of public record, I would like to know just what railroad bonds are held by estates of which you are in charge.

Mr. LYDECKER. You understand when a person dies his estate i reported as it then stands.

Mr. REAVIS. I did not get that.

Mr. LYDECKER. On the occasion of a death the tax is made up upon the estate as at the time of the death of the testator.

Mr. REAVIS. Yes.

Mr. LYDECKER. Now, if you ask me what did A, B, or C leave at the time he died, I will say to you that the tax transfer records will show exactly what he left; but what the estate consists of 8 or 10 years after one's death, by reason of investments or of trusts, or anything of that kind, is entirely a different matter.

Mr. REAVIS. And that is the confidential part you do not care to reveal?

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Mr. LYDECKER. Well, I can see no reason in this investigation why the content of any estate I have anything to do with should be given here.

Mr. REAVIS. That would be a matter for the committee to determine rather than the witness.

Mr. LYDECKER. Yes.

Mr. REAVIS. Now, I want to ask you this question: Are you in control of any estate at this time the assets of which are made up in part of bonds or stocks or securities of any munition company?

Mr. LYDECKER. Absolutely not. They would not be legal investments, and I have none of any kind under my knowledge or control of any estate.

Mr. REAVIS. Have you of any steel company?

Mr. LYDECKER. There are United States Steel sinking-fund bonds, I think, in various estates; some small amounts of sinking fund fives.

Mr. REAVIS. You say they are in small amounts?

Mr. LYDECKER. Oh, yes.

Mr. REAVIS. What is the largest amount you now recall of such securities any estate in your control holds?

Mr. LYDECKER. I do not know any estate that I control that has over five of those.

Mr. REAVIS. Of denominations of a thousand dollars each?

Mr. LYDECKER. Of denominations of a thousand dollars each.

Mr. REAVIS. What about powder companies?

Mr. LYDECKER. They really have nothing to do with any political affairs. I know nothing about any powder company investment or securities.

Mr. REAVIS. What about railroad securities or railroad stocks?

Mr. LYDECKER. I believe there are railroad securities that are known to me to be held by estates—Baltimore & Ohio, Pennsylvania, and Denver & Colorado, and I think the Chicago & Rock Island, possibly, and a few of these that we have known of in times passed.

Mr. REAVIS. And have you any of those in large denominations?

Mr. LYDECKER. No; not very large. I think our liberty bonds are the principal investments or securities now.

Mr. REAVIS. Has any estate under your control any considerable amount of such securities?

Mr. LYDECKER. Of course, when you speak of any estate under my control, you perhaps mean any estate I am executor or administrator of, do you?

Mr. REAVIS. That is the point.

Mr. LYDECKER. I am executor and administrator of very few estates—as few as possible.

Mr. REAVIS. Well, for which you are acting in the capacity of attorney, then?

Mr. LYDECKER. Well. I act as attorney for certain executors; but I am not in control of the estates, if that is your question.

Mr. REAVIS. This question was not with reference to your control, this question was with reference to those estates where you, as an attorney, represent the estates.

Mr. LYDECKER. And your question is whether any considerable number of the bonds of railroads?

Mr. REAVIS. Yes; of railroads.

Mr. LYDECKER. No; not any large number.

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Mr. REAVIS. Or any considerable amount of stock?
Mr. LYDECKER. Of railroads?
Mr. REAVIS. Yes.
Mr. LYDECKER. No.
Mr. REAVIS. Or of steel companies?
Mr. LYDECKER. Of steel companies?
Mr. REAVIS. Yes.
Mr. LYDECKER. I know of no investment in any steel affair except in these sinking fund fives that may be held by several estates.
Mr. REAVIS. Are they in large sums, or small?
Mr. LYDECKER. No; I have told you not exceeding $5,000 in any case.
Mr. REAVIS. Mr. Lydecker, who was it first called to your attention the advisability of the organization of this league?
Mr. LYDECKER. Of the league?
Mr. REAVIS. Yes.
Mr. LYDECKER. Mr. Stanwood Menken.
Mr. REAVIS. Were you acquainted with him previously to his suggestion to you regarding this league?
Mr. LYDECKER. Yes; he and I had been associated with independent democratic movements. We had been associated in other movements at one time to get the State of New York on a higher plane.
Mr. REAVIS. How long did those associations continue?
Mr. LYDECKER. I think a month or two.
Mr. REAVIS. Only a month or two?
Mr. LYDECKER. I have known Mr. Menken as a practicing lawyer in New York for a long time.
Mr. REAVIS. Now, so far as you know, he was the first one who suggested the organization of this league?
Mr. LYDECKER. To me?
Mr. REAVIS. So far as you know, was he not the first that suggested it to any one?
Mr. LYDECKER. I think the suggestion of the organization of a committee came from Mr. Gardner.
Mr. REAVIS. Representative Gardner?
Mr. LYDECKER. Congressman Gardner, of Massachusetts. That is my information.
Mr. REAVIS. Well, do you know whether he represented it to your friend, Mr. Menken?
Mr. LYDECKER. I know he told me so then.
Mr. REAVIS. Now, did Mr. Menken discuss with you the advisability of calling meeting at the hotel in New York?
Mr. LYDECKER. Oh, yes.
Mr. REAVIS. And did you approve of it?
Mr. LYDECKER. Absolutely.
Mr. REAVIS. Do you know whether or not he discussed that with any one else before a general invitation was issued?
Mr. LYDECKER. Why, I don't know it for certain, but I am certainly sure of it.
Mr. REAVIS. Now, how many of you met at the time you determined upon this hotel meeting?
Mr. LYDECKER. We didn't meet. He came to me and spoke of it, and then he spoke to the others, as I understood, and the call was issued and we met.

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Mr. REAVIS. By whom was the call issued?

Mr. LYDECKER. I think—I have read the call was issued under the seven names of the original organizers, and Mr. Menken, 52 William Street. I understand, posted or mailed or sent the notices.

Mr. REAVIS. Now, did you ever see this call before the printed invitation was delivered to you?

Mr. LYDECKER. No.

Mr. REAVIS. And you merely authorized your name to be put on that card?

Mr. LYDECKER. I concurred heartily.

Mr. REAVIS. And you knew the call was going to be issued?

Mr. LYDECKER. I did.

Mr. REAVIS. But did you at any time previous to the issuing of this call meet with the other men whose signatures are attached to that?

Mr. LYDECKER. Well, whether Barrie, Herbert Barrie, was a member of the squadron, I used to meet him down town, and I can't say whether I had met and talked with him. J. Mayhew Wainwright was an officer in the Twelfth Regiment, and I can't say that did or did not. It was only a few days from the time that we agreed to have this call made and have the meeting that we had the meeting.

Mr. REAVIS. I know. When you say "agreed," you mean your agreement with Mr. Menken?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. You had no agreement with the other signers of this call?

Mr. LYDECKER. Oh, no; except that he was authorized to make that agreement for me, that we would all join and make the call.

Mr. REAVIS. Do you who selected the place of this meeting?

Mr. LYDECKER. The Belmont?

Mr. REAVIS. Yes.

Mr. LYDECKER. No.

Mr. REAVIS. Do you know who made provisions or arrangements with the hotel people for the meeting?

Mr. LYDECKER. No.

Mr. REAVIS. Do you know who selected the list of gentlemen who were to be invited to that meeting?

Mr. LYDECKER. The list that I read a little while ago?

Mr. REAVIS. No; you said there were probably 150 present at the hotel meeting.

Mr. LYDECKER. Yes.

Mr. REAVIS. Who selected the list?

Mr. LYDECKER. Of those men?

Mr. REAVIS. Yes.

Mr. LYDECKER. I don't know. I think Mr. Menken was the one who got it up.

Mr. REAVIS. So far as you know, he is the one who selected the proper parties to call together?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. And you met there in the evening?

Mr. LYDECKER. In the afternoon.

Mr. REAVIS. Do you remember what time in the afternoon?

Mr. LYDECKER. About 4, I should say, in the afternoon, or half past.

Mr. REAVIS. Who presided at that meeting?

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Mr. LYDECKER. I think Mr. Menken was called to the chair. I am not certain. I have the minutes here.

Mr. REAVIS. Well. I want your recollection of it. We can get to the minutes later.

Mr. LYDECKER. I think Mr. Menken. He was the mover, the principal active man, in getting us to start the campaign of preparedness. He is entitled to all the credit for that.

Mr. REAVIS. Now, were the purposes of that meeting stated by some one?

Mr. LYDECKER. Yes, sir; I offered a resolution at that time.

Mr. REAVIS. What was the subject matter of your resolution?

Mr. LYDECKER. Can I read the resolution to you?

Mr. REAVIS. You may refresh your recollection. I don't care to have you read it.

Mr. LYDECKER. Well, the substance of that resolution is, Whereas the country is not in a state of preparedness, and that such efforts be made to secure congressional action to have the country put in a state of defense be taken.

Mr. REAVIS. Now, that, as I remember it, according to your testimony, was in the latter part of November, 1914?

Mr. LYDECKER. That meeting was held on the 1st day of December. I corrected my testimony from the 26th of November to the 1st of December.

Mr. REAVIS. Of 1914?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. Well, what plan, if any, was agreed on at that meeting?

Mr. LYDECKER. Well, to tell you the truth, I can't tell you the way in which the work was developed. I wish you would ask Mr. Menken, because he was the active mover, and we proceeded to enroll, and a large number were enrolled, and then the organization took place, and within a very short time the group was incorporated. An incorporated society was formed by filing a certificate under the laws of the State of New York, and when it was incorporated, why, the proceedings were those of the incorporation—the adoption of the by-laws, the appointment of committees, and the extension of the organization throughout the country, and the giving of addresses, and seeking to insure cooperation.

Mr. REAVIS. Now, at the Belmont Hotel meeting, what plan, if any, was made, or what suggestions were made that you now recall with reference to the financing of this?

Mr. LYDECKER. I don't think any.

Mr. REAVIS. There was no suggestion, then?

Mr. LYDECKER. I don't think any.

Mr. REAVIS. At the time you held that meeting you discussed, as I understand it, the necessity for such an organization?

Mr. LYDECKER. The necessity of the formation of a committee to urge preparedness and to assist in getting a body of public opinion that would back you gentlemen up in taking such measures as would be proper to put the country on a defense position.

Mr. REAVIS. And was it determined at that meeting that the organization should be incorporated?

Mr. LYDECKER. No, sir.

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Mr. REAVIS. Do you know when that was determined?

Mr. LYDECKER. No; I don't know how many days, but very shortly after.

Mr. REAVIS. Well, was it determined without any further meeting of those who had attended the Belmont Hotel meeting?

Mr. LYDECKER. None at which I attended.

Mr. REAVIS. Do you know of the intention to incorporate previous to the incorporation?

Mr. LYDECKER. Yes; Mr. Menken spoke to me, either on the phone or some time, in which he said that the matter had met with so much approval and so many were interested in it that it would be wise to incorporate. I agreed, and he prepared the papers of it. I didn't sign the incorporation but I was named as one of the directors the first year; so that I approved the incorporation. The date of that was the 7th day of January.

Mr. REAVIS. Of the succeeding year?

Mr. LYDECKER. 1915; yes, sir.

Mr. REAVIS. Now, do you know who financed the incorporation of it?

Mr. LYDECKER. Well, I think it cost perhaps $1.50 or $2, and I don't know who paid that.

Mr. REAVIS. Well, you have to draw articles of incorporation, do you not?

Mr. LYDECKER. Well, when you are doing patriotic work you don't charge for it.

Mr. REAVIS. Do you know who drew the articles of incorporation gratuitously?

Mr. LYDECKER. Well, I don't know that they were drawn gratuitously.

Mr. REAVIS. Well, you made the suggestion that you don't charge for such things, and I wondered if you knew.

Mr. LYDECKER. I don't know. I will bet my hat, though, that nobody was paid anything for it.

Mr. REAVIS. What was the first meeting of which you had any recollection where the question of the financing of this league was taken up?

Mr. LYDECKER. Well, when the by-laws were adopted providing for a treasurer, and when the treasurer was appointed the question of financing was immediately on the carpet.

Mr. REAVIS. Now, do you infer that from the fact that the treasurer was appointed by the by-laws or were you at a meeting where that agreement was made?

Mr. LYDECKER. I have no recollection.

Mr. REAVIS. Then you don't know of your own knowledge when the proposition of financing the concern was first approached?

Mr. LYDECKER. Well, I don't know whether it was a meeting or whether it was just ordinary talk of men, that whatever money we required to expend this propaganda should be sought by contributions. When the organization was formed we adopted a regular charge for members. We had one or two kinds of members at $3; the ordinary member paid a dollar, another kind of member paid $5, a life member pair $25, and there were quite a number who immediately came forward with their money.

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Mr. REAVIS. Now, you say "immediately"; was it before or after the incorporation?

Mr. LYDECKER. Well, I think after the incorporation. I don't know.

Mr. REAVIS. What plan was adopted with reference to accomplishing the purposes of this organization?

Mr. LYDECKER. I can only say that the members of the executive committee met and discussed, and whatever plan was adopted—definite plan—will be shown by the minutes. The only plan that I know of was the plan of circulating knowledge concerning what we had in the country. A committee on Army, on Navy, and on militia was appointed.

Mr. REAVIS. What knowledge was it that you were to circulate?

Mr. LYDECKER. We were to circulate knowledge of the necessity for preparedness.

Mr. REAVIS. Then the original purpose of this organization was to bring to the attention of the public the condition of lack of preparedness?

Mr. LYDECKER. I think so, sir.

Mr. REAVIS. How was that to be brought to the public attention?

Mr. LYDECKER. I don't think there was any hard and fast rule as to how it was to be done that was at any time adopted. The point was to get information and to make it known to the people, and the committee on the Navy, Mr. Walker, supplied a great deal of information and the committee on the Army supplied a great deal of information.

Mr. REAVIS. What was done with that information?

Mr. LYDECKER. It was printed and distributed.

Mr. REAVIS. Through what medium?

Mr. LYDECKER. Oh, the articles were given to the papers and the data were printed in pamphlets.

Mr. REAVIS. Now, when did that begin? In what year, 1915?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. And was this information sent nation wide or into given localities?

Mr. LYDECKER. I am quite unable to state to what extent the pamphlets were printed or to what extent they were distributed. We organized the office, and we had the executive secretary, and we tried to ascertain all who were sympathetic or willing to assist in the dissemination of this knowledge, and branches were formed, meetings were held all over the country—that is, as they might be desired by people who were interested in this matter. A great many people became interested in Boston, Chicago, Charleston. Mr. Menken undertook to expand the gospel, and he traveled far and wide, and worked very hard to have the conviction that was in our minds given to all who liked to hear it.

Mr. REAVIS. Now, was Mr. Menken one of the salaried officers of this association?

Mr. LYDECKER. He never has had any salary, according to my knowledge, in his life.

Mr. REAVIS. His expenses were taken care of, of course, by the committee?

Mr. LYDECKER. Well, I don't know whether his expenses were paid out of—they may have been paid in some instances; I don't know.

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Our records will show entirely any money that was ever paid for the account of Mr. Menken's travel or expenses.

Mr. REAVIS. Now, what do you know about the plan that was adopted with reference to financing this league?

Mr. LYDECKER. When?

Mr. REAVIS. At any time.

Mr. LYDECKER. I know that at the meetings of the executive committee, which I attended religiously from 1915, there were reports made from time to time of the contributions of members—of the contributions of friends of the idea—and of the expenditures. That was all in the hands of the president and executive officers, and I have no personal knowledge of that up to the time of my becoming the president in June, 1918.

Mr. REAVIS. Now, you know nothing, then, as to the amount of money raised by the league previous to your becoming president of the league?

Mr. LYDECKER. Yes; I know. I can tell you from the reports that have been given to me that are on the books.

Mr. REAVIS. Are the books here?

Mr. LYDECKER. Yes; some of them.

Mr. REAVIS. Are they all here?

Mr. LYDECKER. All the books of this league?

Mr. REAVIS. All the books of this league, connected with the national organization in New York.

Mr. LYDECKER. They are not.

Mr. REAVIS. You stated in your examination this morning that a careful report of receipts and expenditures was here. Who made that report?

Mr. LYDECKER. We have had auditor reports made from the beginning of the league to the present time.

Mr. REAVIS. Now, you haven't the books with you showing those receipts and those expenditures?

Mr. LYDECKER. You mean I haven't got the audits here?

Mr. REAVIS. No; I am not particular about the audits. I say you haven't the books here showing the receipt of money. You have merely somebody's report as to what the books show?

Mr. LYDECKER. Well, I can't answer you now. We have two or three tons of material. I got a telegram from the chairman of this committee asking me—saying it is your wish that we should attend and bring all books, cards, papers, records, showing all acts and doings of the league, together with all expenses and receipts of money by the league. Now, that came two days before I had to start for here. We have got several tons of those papers in New York City, and it is a practical and physical—it is an impractical task to move all of those to Washington. We are anxious to have you look at everything that we have got. Everything is at your disposal, but they are not here. I can't bring them.

Mr. REAVIS. Couldn't you bring the books here that show the receipts of money and the expenditure of money?

Mr. LYDECKER (to Mr. West). Give me that daily daybook. I have brought all I could conveniently bring for this purpose to-day and will be happy to show you and abide by the wishes of the committee.

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Mr. REAVIS. I am trying now to get the information. Have you the books here showing the receipts of money and the expenditure of money of this league during its existence?

Mr. LYDECKER. Not all of them.

Mr. REAVIS. Where are those books that are not here?

Mr. LYDECKER. At 19 West Forty-fourth Street.

Mr. REAVIS. Are they open to the inspection of the committee?

Mr. LYDECKER. Absolutely; everything that is in the possession of the Security League.

Mr. REAVIS. Are they too voluminous for you to bring to Washington?

Mr. LYDECKER. They were to voluminous for me to bring to Washington on this short notice. They couldn't be packed and shipped here in this time, and it would be a very great waste of time and money, I think, to have all those books brought here. If you will allow me to show you what they consist of, what they are like.

Mr. REAVIS. What I am trying to get now, Mr. Lydecker, is the information as to whether you have books showing the receipt of money and from whom the money was received, and the expenditure and the way it was expended, and if you have such books, where are they?

Mr. LYDECKER. I will try to show you what I have got. I don't know right off the reel what we have been able to bring down here [examining book]. I produce a book here, a loose-leaf ledger, showing every day and every receipt of money during the entire year from December, 1917, to 1918.

Mr. REAVIS. Now, Mr. Lydecker, before you get away from this book, I would like to ask you a few questions about that. You didn't make the entries in that book?

Mr. LYDECKER. No, sir.

Mr. REAVIS. You can't of your own knowledge testify as to their accuracy?

Mr. LYDECKER. I can not. Mr. Calhoun.

Mr. REAVIS. Who has charge of that book?

Mr. LYDECKER. Mr. Calhoun.

Mr. REAVIS. And who made the entries in there to the best of your knowledge?

Mr. LYDECKER. Well, I can't name the person.

Mr. REAVIS. Under whose charge and direction were they made?

Mr. LYDECKER. Under Mr. Calhoun.

Mr. REAVIS. Now, that comprehends what time?

Mr. LYDECKER. It is a year.

Mr. REAVIS. Have you the book for any other period of this corporation?

Mr. LYDECKER. Not here; not of that character. That shows you what the character of the records in New York are, which are at your service.

Mr. REAVIS. Well, are there other books in New York that show the receipt of money and from whom it was received prior to the time comprehended in this book?

Mr. LYDECKER. I believe so. I have never had occasion to go through it as complete as this loose-leaf ledger appears to show.

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Mr. REAVIS. And there is some one now connected with the league who would be able to testify as to the authenticity and completeness of those books?

Mr. LYDECKER. Yes, sir; our executive secretary knows, for he has been with the ledger from its start—all the details of the business.

Mr. REAVIS. Well, are these books in New York more voluminous than the volumes you have produced here? I mean the books showing the receipts?

Mr. LYDECKER. No; I don't know whether the book for 1916 is as voluminous as that is. They are voluminous.

Mr. REAVIS. So voluminous that they could not readily be brought to Washington and disclosed to the committee?

Mr. LYDECKER. Not at all. I suppose we could bring anything to Washington.

Mr. REAVIS. You know what I mean by that question?

Mr. LYDECKER. I know that it is absolutely impracticable to. An investigation—if you desire to find out whether there are any subscriptions here from an improper source, the books are at the disposal of any examiner who wishes to do it. You gentlemen are not going to do it, and we don't want the activities of the Security League disrupted by this investigation. I don't suppose that is the purpose of this committee. Our work is mainly educational. Our congressional work has been an infinitesimally small part of the work of the league.

Mr. REAVIS. You know the purpose of this committee is to ascertain what your purpose is, whether it is educational or otherwise, and one of the means of finding out is to go through your books and find out where you got your money and what you did with it after you got it. Now, what I am trying to find out, have books been kept by this league that will disclose these facts?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. And are they at the disposal of the committee?

Mr. LYDECKER. Absolutely at the disposal of this committee. They are not in this form from the beginning of the league to the present time, but they are over a considerable period, the latter period, the last year, and they are at your disposal as to the entire period of any moment.

Mr. REAVIS. Now, are those books of such a character that they could not readily be brought to Washington?

Mr. LYDECKER. Yes; they can not readily be brought to Washington. It is a great inconvenience to bring those books to Washington. It is a great inconvenience to have them here, and not the most convenient way to get the contents of them.

Mr. REAVIS. Would they be at the disposal of this committee if this committee were to go to New York?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. Now, this pamphlet that you sent out, and to which your attention has heretofore been directed, giving in detail the vote of Members of the House of Representatives, was, as you say, for the purpose of influencing the voters of the Nation on congressional election?

Mr. LYDECKER. Well, I didn't say that.

Mr. REAVIS. Well, that was the purpose, wasn't it?

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Mr. LYDECKER. I can't deny that we desired to have the people o the United States informed concerning the action of Congress.

Mr. REAVIS. Well, why was that desire indicated with reference t the House and not with reference to the Senate?

Mr. LYDECKER. It was. The Senate chart is published with th same date as this congressional chart, and if you gentlemen haven seen it I happen to know that the congressional chart was exactl the counterpart of this. Let me have that Senate chart, please [a dressing Mr. West]. Well, I have got one here. There is the vot on preparedness and war [indicating on chart] showing vote o Members of the Senate.

Mr. REAVIS. Will you permit me to look at that, please?

Mr. LYDECKER. On 10 measures.

Mr. REAVIS. When was this gotten out, prior to the election.

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. Was it gotten out with reference to the entire mem bership of the Senate, or with reference to those who were up fo reelection?

Mr. LYDECKER. My recollection of the intention of the commit tee—I would rather Mr. Orth would testify—was to inform th voters concerning the action of the entire Congress, and that distribu tion was where people desired to have it, and I think people desire to have it most where there were candidates for reelection. That i my recollection.

Mr. REAVIS. But it was gotten out with reference to the entir membership, was it not?

Mr. LYDECKER. Yes, sir; the entire membership there, just as i is in the general chart of the House.

Mr. REAVIS. Now, in addition to getting this chart out, did the league send speakers throughout the Nation?

Mr. LYDECKER. No; not on this service.

Mr. REAVIS. Did they during the election of last fall?

Mr. LYDECKER. No; we had no speakers concerning the election.

Mr. REAVIS. You had none concerning the election?

Mr. LYDECKER. No; not that I know of. We had speakers on our subject of patriotism through education, the flying squadron, and the speakers generally, preaching the "win the war," but not in re gard to any election or any candidate. There was no electioneering for any candidates of any kind, shape, or manner, to the best of my knowledge or belief, or with my authority, anyhow.

Mr. REAVIS. Now, in sending these test votes out, did you make any inquiry as to the state of mind with reference to this war of the candidate who was running against the man whose record you were posting?

Mr. LYDECKER. No; I think not. The attitude we took was that everything was a matter for the voter. We had nothing to do with that.

Mr. REAVIS. Well, you were seeking to influence the attitude of the voter, were you not?

Mr. LYDECKER. I hope we did. I don't know whether we did or not. We published in this propaganda facts concerning the patriotic efforts to win the war of anybody that was in the public eyes here.

Mr. REAVIS. And you didn't inquire whether the man whose record might be disclosed, fairly or unfairly, as the case might be, by your

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pamphlets, was likely to be defeated by some one who was antagonistic to the war?

Mr. LYDECKER. I don't think we measured up any case and took the chances of electing anybody who was or was not. We didn't have the record. We absolutely declined to have anything to do with the record of a man who was running for this office, and being put up by the voter didn't control primaries or attempt in any way to control the voters, except that we gave what we thought were reliable statistics concerning the men who have been in the position to act on these national measures.

Mr. REAVIS. Now, did you employ newspaper space in your efforts?

Mr. LYDECKER. No, sir; not to my knowledge, ever.

Mr. REAVIS. You sent matter out for newspapers, didn't you?

Mr. LYDECKER. Yes; anybody was at liberty to use it who wished to take advantage of our research.

Mr. REAVIS. And you had no financial arrangement with any newspaper or newspaper concern?

Mr. LYDECKER. No; none whatever to the best of my knowledge, information, and belief.

Mr. REAVIS. Have you had any arrangements with the Western Newspaper Union?

Mr. LYDECKER. The Western Newspaper Union? I don't know. That may be a distribution of our matter.

Mr. REAVIS. You don't know, Mr. Witness, of your own knowledge?

Mr. LYDECKER. No, sir; I don't.

Mr. REAVIS. So, you don't know whether there has been any newspaper propaganda at the expense of this league or not, do you?

Mr. LYDECKER. Except that if any newspaper did have any arrangement of any kind of that sort it never was with my knowledge. I have no knowledge of any such thing.

Mr. REAVIS. Do you know the total amount that this league expended within the last year?

Mr. LYDECKER. Yes, sir; the total amount of the disbursements from September 1, 1917, to August 31, 1918, the disbursements were $228,018.42. The receipts were $284,358.19.

Mr. REAVIS. Now, that was the year ending when?

Mr. LYDECKER. The last audit of the books was on the 31st of August and the 1st day of September.

Mr. REAVIS. The 31st of August, 1918?

Mr. LYDECKER. 1918. Now, I can give you——

Mr. REAVIS (interposing). Was that for a period of one year?

Mr. LYDECKER. Now, I can give you the individual items.

Mr. REAVIS. Well, you are testifying now from the report of some auditor, are you not?

Mr. LYDECKER. I am testifying from the compilation of our books, as I am informed, not from the actual compilation made by me.

Mr. REAVIS. But you are testifying from the report of some one who has audited the books, other than yourself?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. Well, now, Mr. Lydecker——

Mr. LYDECKER (interposing). The audit of these books has been made by the firm of Marvin, Mitchel, Peat & Co., chartered accountants.

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Mr. REAVIS. I want to call your attention to H. R. 21052, largely for the purpose of getting it into the record as to the armed neutrality bill [handing bill to witness]; and from an inspection of that you find, do you not, that that was for the purpose of not permitting American ships to be armed at all, but for the purpose of permitting the President to arm them, was it not, and to make it the act of the Government?

Mr. LYDECKER (after examining bill). Will you read the question?

(The question was read as above recorded.)

I recognize this as a bill authorizing the President of the United States to supply merchant ships of the United States, bearing the American registry, with defensive arms. I don't know that it says anything about the initial cost or contraband of war.

Mr. REAVIS. That was voluntary. I didn't ask you that either. I will get to that in a minute.

I will introduce the resolution here.

(The resolution referred to follows:)

64TH CONGRESS, 2D SESSION. } **H. R. 21052.**

IN THE SENATE OF THE UNITED STATES.

MARCH 1, 1917.

Read twice and referred to the Committee on Foreign Relations.

AN ACT

Authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and is hereby, authorized and empowered to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and also with the necessary ammunition and means of making use of them in defense against unlawful attack; and that he be, and is hereby,

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authorized and empowered to protect such ships and the citizens of the United States against unlawful attack while in their lawful and peaceful pursuits on the high seas.

SEC. 2. That the sum of $100,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended by the President of the

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United States for the purposes herein stated, the said sum to be available until the first day of January, nineteen hundred and eighteen; and the President is authorized to transfer so much thereof as he may deem necessary to the Bureau of War-Risk Insurance, created by Act of Congress, approved September second, nineteen hundred and fourteen, for the purpose of insuring vessels, their freight, passage moneys, and cargoes against loss or damage by the present risks of war: *Provided*, That said Bureau of War-Risk Insurance shall not insure any arms or ammunition or any vessel carrying arms or ammunition consigned to belligerent countries or any citizen thereof.

SEC. 3. That for the purpose of meeting the expenditures herein authorized, the Secretary of the Treasury, under the direction of the President, is hereby authorized to borrow on the credit of the United States and to issue therefor bonds of the United States not exceeding in the aggregate $100,000,000, said bonds to be in such form and subject to such terms and conditions as the Secretary of the Treasury may prescribe, and to bear interest at the rate not exceeding three per centum per annum: *Provided*, That

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such bonds shall be sold at not less than par, shall not carry the circulating privilege, and that all citizens of the United States shall be given an equal opportunity to subscribe therefor, but no commission shall be allowed or paid thereon: that

both principal and interest shall be payable in United States gold coin of the present standard of value, and be exempt from all taxation and duties of the United States, as well as from taxation in any form of all State, municipal, or local authorities; that any bonds issued hereunder may, under such conditions as the Secretary of the Treasury may prescribe, be convertible into bonds bearing a higher rate of interest than three per centum per annum if any bonds shall be issued by the United States at a higher rate than three per centum per annum by virtue of any Act passed on or before December thirty-first, nineteen hundred and eighteen.

SEC. 4. That in order to pay the necessary expenses connected with the said issue of bonds, or any conversions thereof, a sum not exceeding one-tenth of one per centum of the amount of bonds herein authorized to be issued, or which may be converted, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended as the Secretary of the Treasury may direct.

Passed the House of Representatives March 1, 1917.

Attest: SOUTH TRIMBLE,
Clerk.

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Now, I want to show you in the Record, volume 54, part 5, of the Record of the Sixty-fourth Congress, page 4891, the reference to the superamendment which is marked on that page. Will you please read that so as to get it [handing bound volume of the Record to the witness]?

Mr. LYDECKER (reading). "Mr. Cooper of Wisconsin moves to recommit the bill to the Committee on Foreign Affairs with instructions forthwith to report back the bill to the house with the following amendments, namely:

"'At the end of line 12, page 2, add the following: "*Provided*, That no ship of American registry armed in the manner aforesaid shall carry cargo consisting in whole or in part of arms or of ammunition consigned to a belligerent country or to a citizen thereof."'"

Mr. REAVIS. Now, presuming that to be an amendment offered to the bill which I have just submitted you, would you say that the effect of that amendment prohibited American ships from the exercise of their legal right to carry arms or ammunition?

Mr. LYDECKER. Yes.

Mr. REAVIS. That would be your construction of it?

Mr. LYDECKER. I think so. If every ship that carried arms or ammunition had to go unarmed, I should think it was an interference with the right.

Mr. REAVIS. How do you get to the position that every ship carrying arms and ammunition have to go unarmed? This was merely a limitation on the power of the President to arm them. It didn't limit the private individuals from arming their own ships.

Mr. LYDECKER. I presume, of course, that the right to carry arms would be implied by an authorization from the President; that it would be understood that a ship would not carry arms if it didn't have the President's permission.

Mr. REAVIS. And on that presumption you reach the conclusion that Mr. Cooper's amendment would deprive American ships of their right to carry arms or ammunition in their cargoes?

Mr. LYDECKER. And carry arms for defenses.

Mr. REAVIS. And you think that after looking at the bill and the amendment that your statement No. 6 in this congressional vote on preparedness and war is a fair statement of that amendment?

Mr. LYDECKER. Yes: I think that the purpose of the amendment was to interfere with the carrying of arms and ammunition.

Mr. SAUNDERS. Col. Lydecker, the word "embargo" has a thoroughly understood legal significance, has it not?

Mr. LYDECKER. Legally, I think, it has a significant meaning popularly.

Mr. SAUNDERS. What do you mean by "popularly" it has a meaning?

Mr. LYDECKER. I think "embargo" is a word used generally to indicate an interference or a restriction.

Mr. SAUNDERS. A stoppage?

Mr. LYDECKER. A stoppage; yes, sir.

Mr. SAUNDERS. Well, now, this superamendment that has been referred to and that Mr. Reavis has discussed, you specifically state as its meaning that it was designed to prohibit American ships from their legal right to carry arms or ammunition in their cargoes. You expected that language to be understood as it reads, did you not?

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Mr. LYDECKER. Of course.

Mr. SAUNDERS. To carry the intent and meaning that it says on the face of it?

Mr. LYDECKER. Of course.

Mr. SAUNDERS. And I understood you to say that that would take away from any ship the right which it had in that respect, though it simply inhibits the President from arming such ships, that this statement in your view is still correct?

Mr. LYDECKER. Yes; I think that prohibiting the President from authorizing the carrying of a defensive arm on a ship engaged in legitimate trade was a restriction which amounted to prohibition—not total prohibition, but a prohibition.

Mr. SAUNDERS. Now, let me see. What right, I would ask you to point out, what right does that amendment take away from the shipowner that he had before?

Mr. LYDECKER. The right to come within the authority of the President of the United States to carry arms.

Mr. SAUNDERS. The right to come within the authority of the President of the United States?

Mr. LYDECKER. I would say and to do so amounted to a statement that this carrying arms was not within the right of an ordinary ship, and if one merchant ship differed from another, then it was an interference with the right.

Mr. SAUNDERS. A restriction on the part of the President to do certain things which in no wise interferes with the right that the ship had before or the ship had thereafter, to arm itself if it chose to do so, you interpret as a prohibition of the right to the merchant ship. Now, do you think that is a fair statement of the meaning of that amendment?

Mr. LYDECKER. It seemed to me that the legal intendment of that amendment——

Mr. SAUNDERS (interposing). That the legal intendment of the provision which says that the President shall have no authority to do a certain thing takes away from the individual his right to do it?

Mr. LYDECKER. No.

Mr. SAUNDERS. Now, you state that as a lawyer and are willing to go on record that way?

Mr. LYDECKER. No; but if it appeared that it amounted to a certain extent to a prohibition to the free commerce of the seas.

Mr. SAUNDERS. That is not the question at all. The shipowner that came within the prohibition certainly would not have had the right to go to the President to get arms from him, but that is a limitation upon the power of the President to furnish him with arms. How does that interfere in anywise with the right of the shipowner to arm his ship if he chose to do it; and that is what you are declaring in your proposition?

Mr. LYDECKER. The President has the right to put arms on a merchant ship. The merchant ship has the right to ask to have them put there.

Mr. SAUNDERS. All classes within that power, of course.

Mr. LYDECKER. If Congress passes an act which interferes with the shipping of munitions, it comes precisely within the same right of any other thing, subject to the risk of war. If they prohibit it, it is

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understood by Congress that they don't approve of that shipment of arms.

Mr. SAUNDERS. That is altogether a different proposition. We are coming now to rights and the meaning of language.

Mr. LYDECKER. But if the language of your act shows the right of the shipper of those things is not the same as the right of any other merchant you are making a distinction which, in effect, amounts to an interference with business.

Mr. SAUNDERS. You don't say it that way in your proposition.

Mr. LYDECKER. It said it prohibited it—rather broad language.

Mr. SAUNDERS. Now, do you stand by that now?

Mr. LYDECKER. That is a conclusion. Yes; I say, to an extent, that it did prohibit it. It wasn't a total prohibition.

Mr. SAUNDERS. You think, then, that a statute which doesn't give one shipowner the same presidential power has prohibited that shipowner from arming himself at all under his natural right, his legal rights? Now, I just want you to say if you think the two things are true?

Mr. LYDECKER. The actual legal rights to arm a ship I don't think that statute prohibited that man from arming.

Mr. SAUNDERS. Then, that merchant ship is not prohibited from arming himself by anything Mr. Cooper proposed to do?

Mr. LYDECKER. To an extent, he was. It amounted to a partial prohibition. It amounted to a distinction.

Mr. SAUNDERS. A prohibition to the ship or to the president?

Mr. LYDECKER. A prohibition on the shipper.

Mr. SAUNDERS. How on the shipper? His right to arm himself is not interferred with anywhere.

Mr. LYDECKER. The prohibition of the shipper to obtain any of the rights that an ordinary citizen has in trade and commerce to get from his Government.

Mr. SAUNDERS. But he didn't have any such right as that in ordinary trade.

Mr. LYDECKER. When that bill was passed he would have the right to ask the President.

Mr. REAVIS. But that bill was not passed. Here was a bill which proposed to give the President certain powers, clearly expressed, and here was an amendment which says to certain ships the President shall not exercise the powers. Now, I want you to tell me how that prevented that ship, prohibited that ship from his legal right to carry arms or ammunition in his cargo?

Mr. LYDECKER. It acted as a prohibition or an interference with the citizens that have right to do as a shipper of other goods would do.

Mr. SAUNDERS. I don't deny that.

Mr. LYDECKER. Well, if it were true, then it seems as if it were an act intended to favor the enemies of France that were being subject to loot and rapine.

Mr. SAUNDERS. Oh, now, do you think, Col. Lydecker, that this circular involved explanation which you have undertaken to give of the effect of the Cooper amendment was the purpose intended to be conveyed to the American people by what you put here—that you intended to convey to the American people by number 6?

Mr. LYDECKER. Yes; I think it was.

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Mr. SAUNDERS. Here is what it says: "This amendment was designed to prohibit American ships their legal right to carry arms or ammunition in their cargoes."

Mr. LYDECKER. Isn't the legal right of the shipper that carries arms and ammunition the same as the legal right of any shipper who carries potatoes?

Mr. SAUNDERS. Not necessarily. Do you think that it is?

Mr. LYDECKER. If Congress says that it is not, it is not.

Mr. SAUNDERS. Do you tell the committee—I will just get your attitude in that respect—do you say they are the same?

Mr. LYDECKER. The right, yes sir.

Mr. SAUNDERS. That a ship in time of war carrying contraband of war stands on the same footing as a ship not carrying such munitions or not carrying contraband at all?

Mr. LYDECKER. Of course, I don't say that he stands on the same rights.

Mr. SAUNDERS. Just a moment ago you said that he had the same rights.

Mr. LYDECKER. I beg pardon. I am talking of his rights with respect to the President of the United States and his Government. He hasn't got the same rights on the high seas.

Mr. SAUNDERS. You have qualified the broad statement you made a few moments ago.

Mr. LYDECKER. I was making my statement in connection with your question. You were asking me about his rights.

Mr. SAUNDERS. He has very different rights, then, hasn't he, and is subject to very different chances and liabilities on the high seas?

Mr. LYDECKER. Yes, sir; but not so far as his own Government is concerned.

Mr. SAUNDERS. Now, let us see with respect to these ships carrying munitions of war, are they subject to search and seizure in time of war?

Mr. LYDECKER. Absolutely.

Mr. SAUNDERS. Has it ever been held that they have a right to arm themselves for the purpose of preventing that search and seizure?

Mr. LYDECKER. No; I don't know what you mean. Held by whom?

Mr. SAUNDERS. Well, by international law?

Mr. LYDECKER. Well, I can't point to decisions, but I think that it is an inherent right of the merchant ships to have certain defenses.

Mr. SAUNDERS. You state, then, as a proposition of law that a merchant ship carrying in time of war munitions to a belligerent country, has, as against the blockade, the right to arm itself to resist the blockade right of search and seizure?

Mr. LYDECKER. Yes; if a merchant ship has. If any merchant ship has.

Mr. SAUNDERS. I ask you if it has?

Mr. LYDECKER. Yes; if any merchant ship has.

Mr. SAUNDERS. In that respect, with respect to liability to search and seizure and resisting search and seizure, the ship carrying contraband of war, like munitions, stands on precisely the same footing as the ships carrying the articles which are not forbidden?

Mr. LYDECKER. Yes, sir; I don't understand that the right of search and seizure is limited simply to a ship that has contraband on it or

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has not. I think the right of search and seizure turns on something else besides what is inside of the bottom.

Mr. SAUNDERS. Col. Lydecker, you stated that data was published in perfect good faith. Did that mean that you exercised ordinary diligence with respect to acquiring data?

Mr. LYDECKER. I certainly thought so.

Mr. SAUNDERS. Now, let us see. Do you think anyone who gathers up gossip and newspaper reports—which as everyone knows are frequently very wide of the mark in the situation—and undertakes publishing material which relates to individuals, as you have done, when the accurate information with respect to the attitude of the individual may be procured from authoritative records, is pursuing a fair course, either to the public or to the individual?

Mr. LYDECKER. None of this data, as I understand it, was ever procured by any such process as you have described. I understand it is the result of search made by the committee of the records of the House, and this is not the result of gossip or newspaper talk, but I have stated——

Mr. SAUNDERS (interposing). When the question was asked you with respect to some of this data, where you got your information——

Mr. LYDECKER (interposing). Pardon me. I was asked whether I had approved what the committee had done, and what I knew, and I stated distinctly that I had not prepared the chart; that I approved its publication on the strength of the investigation made by the committee that had looked into the matter.

Mr. SAUNDERS. And in that connection you referred to, as supporting your opinion, what you had seen about this in the newspapers, a current talk.

Mr. LYDECKER. I was asked what I knew, and I stated what I knew. I stated that I had not examined the official record.

Mr. SAUNDERS. But you gathered your attitude toward these things, your conception of them, from this material that you referred to, these newspaper writings, etc.

Mr. LYDECKER. An attempt was made to make me say so, but I distinctly added that what I had learned in that way was supplemented or made complete by the report of the committee that had made the investigation.

Mr. SAUNDERS. When was the report of the committee that had made the investigation printed? Well, I will change my question a little in this wise: When did you undertake to give, over the authority of your society, or your own, the attitude of public men with respect to public matters that may do them either a grievous wrong—and in this case, as has already been shown, it has done various individuals very grievous wrongs—you think that you put it out because some committee investigated it, and you accepted their report?

Mr. LYDECKER. I don't concede that a grievous wrong has been done.

Mr. SAUNDERS. Let us see if a grievous wrong—I thought you admitted, with respect to Mr. Reavis, that you did a grievous wrong?

Mr. LYDECKER. I hardly think so.

Mr. SAUNDERS. Now, let us see why, with respect to the case of Members of the House and the case of Members of the Senate, you put them on such a different footing. Have you got your Senate charts there?

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Mr. LYDECKER. You gentlemen took it. I don't know where it is.

Mr. SAUNDERS (consulting chart). Now, with respect to the McLemore resolution, so far as Mr. Reavis is concerned, you state first the substance, what you conceived to be the substance, of this resolution, and then give the votes, which leave the public under the impression that he favored the deprivation of American citizens of these natural, legal, and constitutional rights to travel on the high seas, though the record in his case shows that was not his attitude at all, and that record was just as available to your committee as it was to any Member of the House; and still you say you don't think you have done Mr. Reavis any injustice. Why, then, did you publish that vote or that state of the record with respect to the Members of the House in that form, and yet in dealing with the voting in the Senate, I notice that you use this language referring to the Gore resolution, which you say corresponds to the McLemore resolution: "Immediately after the vote was announced a number of the Senators who had voted against tabling the resolution made speeches explanatory of their votes"?

Why were you so tender of the Senators in this respect and so reckless with respect to the rights of the House Members in this same respect where the same records were available to you?

Mr. SAUNDERS. I can only say that the Senate chart was prepared very shortly after the congressional chart, and that it was brought to the attention that certain men had claimed to have voted against tabling the resolution, because they had a reserve vote, and desired to kill it on the direct vote. Which was Mr. Reaves's attitude. It was not known to the committee, and, certainly, the same thing would have been put into the congressional chart if I had known it at the time. Now, you said "not known" to your committee.

Mr. LYDECKER. I don't know that it was not known; I say I don't think it was known.

Mr. SAUNDERS. Well, if it was known to your committee, it puts your committee in a very bad light, doesn't it?

Mr. LYDECKER. Well, is it a very serious matter?

Mr. SAUNDERS. You considered it enough to make it one of the test votes and scatter it all over the United States and offer it as a reason why Mr. Reaves should be rejected by his constituents?

Mr. LYDECKER. I don't know that it has been offered on that ground.

Mr. SAUNDERS. Why was it put out, then? Was it put out to help him?

Mr. LYDECKER. It was offered—it was put out on the ground as a means of measuring intellectuality and the capabilities of the men who were voting on these matters on which the very life of the country depended.

Mr. SAUNDERS. Do you think that information that is put out that does not conform to the records is fair material for measuring the capabilities of a man in public life? Do you wish to say that?

Mr. LYDECKER. Well, I think a man is to be judged by his record.

Mr. SAUNDERS. Mr. Reaves is perfectly willing to be judged by his record.

Mr. LYDECKER. I can't see how Mr. Reaves has been harmed.

Mr. SAUNDERS. Why, then, did you—he has not been harmed so far as the judgment of his people are concerned, because in spite of

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these efforts to injure him he is returned. But that doesn't affect the fact that material is put out here that doesn't conform to the record. You didn't put that record out to help Mr. Reaves, did you?

Mr. LYDECKER. You mean, it doesn't conform to the entire record?

Mr. SAUNDERS. Yes. You don't think a garbled record is a fair way for a society professing the higher patriotic purposes that yours does, to inform the public and conduct their campaign of education that you have referred to, do you?

Mr. LYDECKER. We don't admit any attempt to garble in any way, shape, or manner.

Mr. SAUNDERS. You just admitted that you didn't conform to the whole record.

Mr. LYDECKER. If the record is that he stated that he wished to kill the resolution in another way, why, it is perfectly easy to make such an explanation.

Mr. SAUNDERS. Why, then, didn't you publish the entire record, although you are in possession of the material? The material is available from which you can get the correct record, and you put upon the man who is attacked in that way the burden of acquitting himself of your charge.

Mr. LYDECKER. I am inclined to think——

Mr. SAUNDERS (interposing). Do you think that is fair dealing?

Mr. LYDECKER. I think the statement of the facts in regard to any man's experiences in life may or may not be considered.

Mr. SAUNDERS. Do you say you don't know whether or not the facts in relation to Mr. Reaves were known to the committee or not? If they were known, don't you think he and all others like him should have been treated exactly as you treated the Senators?

Mr. LYDECKER. That it ought to have been done?

Mr. SAUNDERS. Yes; if you knew the facts in respect to Mr. Reaves, don't you think that all persons standing in the same attitude that he was should have been treated precisely as you undertook to treat the Senators?

Mr. LYDECKER. Why, I believe it would have been a very wise thing if they could do it.

Mr. SAUNDERS. Wouldn't it have been the right, fair, decent thing to do?

Mr. LYDECKER. Well, there was absolutely no intention to be indecent.

Mr. SAUNDERS. Well, wouldn't that have been the decent thing to do?

Mr. LYDECKER. I can not at this moment make any other explanation than that I have made, that when the Senate chart was prepared there was a little more knowledge as to the attitude that men had claimed to take, and we desired to be absolutely fair. And I wish to say that I wrote immediately to, I think it was Mr. Champ Clark, or to the chairman of the Democratic committee, or to Mr. Bainbridge Colby, that the Security League were absolutely desirous of publishing anything concerning any of the votes and giving it the same publicity that had been given to the charts. We had no desire to hurt anybody, and I never had a request from anybody to make any communication of any kind regarding those votes. It was our desire to be as fair as we knew how, and I offered to make any statement whatsoever in regard to it that anyone wished. The votes were

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there and we desired to make them. We didn't have any request to do it.

Mr. SAUNDERS. You say that when the Senate chart was prepared you had more information?

Mr. LYDECKER. Well, I didn't have more information. I had more information concerning the objection that had come to me through certain Congressmen concerning the inferences that people were likely to draw concerning a gentleman like Mr. Reavis.

Mr. SAUNDERS. Very well; then you had been apprised that your acid-test propositions were liable to cause improper deductions to be drawn, and then you prepared your Senate chart, and you prepared that differently from what you did the House chart?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. You never corrected the record which you had distributed as to Mr. Reaves and the others?

Mr. LYDECKER. We couldn't correct it.

Mr. SAUNDERS. Why not?

Mr. LYDECKER. It had been done. It had gone out.

Mr. SAUNDERS. Do you mean to say that when you send out a report against a man that does an injustice to him that you can't withdraw or correct that report? Is that the attitude you wish to put your society in?

Mr. LYDECKER. I have told you of our willingness to make any statement regarding any vote that any gentlemen wished to have made.

Mr. SAUNDERS. Don't you think that it is the part of a high-minded society, as you represent yours to be, that when you come into possession of the fact—and you admit now that you came into possession of the fact that you are circulating material from which erroneous and objectionable and prejudicial deductions may be drawn—that it is your duty to withdraw from circulation any such paper as that or to put out a correcting paper?

Mr. LYDECKER. I wish to say that my attention was never called to Mr. Reaves's position.

Mr. SAUNDERS. I am not talking about position.

Mr. LYDECKER. The Senate officer whose claim of that sort was made I did hear of; I don't recall who it was.

Mr. SAUNDERS. Didn't that suggest itself to you, that having done the Senators—or that you might do the Senators—an injustice by publishing votes, as you had published the House votes, that possibly you might have done the House Members an injustice?

Mr. LYDECKER. Certainly it did, and that was the reason why I wrote and asked that any correction that could be made in regard to anybody we would be very glad indeed to make.

Mr. SAUNDERS. You suggested, but instead of correcting your own record you went ahead and published a Senate document and continued to send out this misleading House document.

Mr. LYDECKER. I can't tell you whether it was continued to be sent out.

Mr. SAUNDERS. Did you withdraw it? This went out into the districts right up until the election, did it not?

Mr. LYDECKER. I can't tell you about the distribution of this.

Mr. SAUNDERS. Well, it was available to go into the districts?

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Mr. LYDECKER. Mr. Orth will have to tell you that. I can't answer it.

Mr. SAUNDERS. Well, I understood you to say that you published them, and you didn't send them to Congressmen, but anybody that wanted them could buy them from you.

Mr. LYDECKER. We sent them to the branches.

Mr. SAUNDERS. That naturally suggested itself that the man who was running in opposition to that particular Congressman had this material you furnished, this ammunition which you furnished for use against him?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. Now, that brings me back to the same inquiry that I made a moment ago. That being so that you were furnishing ammunition which was going to be used in a political campaign, although you were entirely outside the domain of politics, didn't it put up to a high-minded society like yours the propriety of being exceedingly accurate in your statements and verifying them by available records?

Mr. LYDECKER. To the extent that I have said. We were very desirous of making any correction or making any statement with regard to any vote that we might be called on to do.

Mr. SAUNDERS. Well, do you think, Col. Lydecker, that a society like yours, with the means that it has and distributing documents of this sort, that you write to a man that you have done a great injustice to him and you publish his statement and anything of that sort, do you think that meets the situation? Would you have circulated all over the United States and made available for distribution the statement that I or anybody else, or Mr. Harrison, or anybody else here, had sent to you? Would you give it the same currency that you did to this thing? Do you know that that couldn't possibly have been done? Now, I want to ask you a further question in connection with this matter. I understood you to say in response to some question asked by my colleague, Senator Harrison, that as to the main respects that you noted that his remarks were admirable?

Mr. LYDECKER. As to what?

Mr. SAUNDERS. As to the "main" respect was the way you put it; that you had observed that Senator Harrison's votes were admirable. That would indicate that even with respect to these acid-test propositions that there were degrees of importance. Now, what did you regard in those acid tests as the extremely acid ones?

Mr. LYDECKER. You mean which votes would I consider were the least commendable or the most commendable?

Mr. SAUNDERS. Well, you said as to the "main" respect. What are the "main" respects in these acid-test votes? There are eight of them. Now, what are the main ones?

Mr. LYDECKER. Giving recognition to the fact that under a party lash anybody may vote against an amendment that has been made by some one on the other side of the House; giving recognition to that and having Mr. Harrison's vote on the second, third, fourth, and fifth questions, which were not considered to be within our preparedness idea, I regard his vote on the McLemore resolution, which was a distinct attack on the rights of American citizens in regard to traveling on ships—I regard his vote in regard to the declaration

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of war and also his vote in regard to the Kahn conscription and also his vote in regard to the Cooper amendment as being admirable. That was a personal opinion. I would not, if I were a voter, feel that a very grievous wrong had been done because my record was published in regard to one, two, or three. These eight votes were taken by this committee because they had been used by the league in 1916 as to preparedness, and the balance because they were directly connected with our campaign.

Mr. SAUNDERS. Now, that is getting clear away from the question I asked you. I am not bringing Senator Harrison into this matter to attack his record. He don't need to be attacked at all, and he don't need to be defended. His record takes care of him and he takes care of himself, and we are all perfectly satisfied with his record. But you volunteered that statement in connection with the examination, that, as you put it, to come back to your language, that as to the main respects his votes had been admirable. I wanted you to point out to me what you regard as the real vital thing in these eight votes, so that we may find out what are the negligible ones, so that a man voting for these negligible ones is, in the main, doing very handsomely as a patriot. Now, what are the main respects in these eight acid tests?

Mr. LYDECKER. In respect of vision and foresight regarding the position that the United States was being forced into and the red-blooded Americanism that resented the abuse that was coming from Germany, and the question of seeing whether this country should put itself into a position to assert its dignity and command respect from those who were treating us as if we were puppets.

Mr. SAUNDERS. If you were a court ruling on whether the witness had answered my question, do you think the court would hold that the witness had answered the question?

Mr. LYDECKER. I thought you asked me what I regarded as the main point?

Mr. SAUNDERS. I asked you as to these eight acid propositions. What are the four that you regard as the main respects? Now, they are the McLemore resolution. Is that one of the main respects?

Mr. LYDECKER. I think so.

Mr. SAUNDERS. All right. Now, we will get on by the process of elimination.

The Kahn amendment, was the vote on that one of the main respects?

Mr. LYDECKER. At the time it was.

Mr. SAUNDERS. What do you mean by the time?

Mr. LYDECKER. At the time, in 1916, when the Army was a miserable little affair, March 23, 1916, we regarded as a matter of foresight to increase the Army.

Mr. SAUNDERS. Well, the man who didn't vote for the Kahn amendment, according to your view, was voting against one of the main respects, then?

Mr. LYDECKER. Yes; regarding the necessities of our country.

Mr. SAUNDER. All right. Now, No. 3, the Brandegee amendment, was that one of the main respects or not?

Mr. LYDECKER. It comes into the same category a month later.

Mr. SAUNDERS. A man who was not voting for that, then, was not voting for one of the main respects?

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Mr. LYDECKER. For preparedness; no, sir.

Mr. SAUNDERS. Now, No. 4, providing for a volunteer army wholly under Federal control, is that one of the main respects?

Mr. LYDECKER. Well, I should say that it indicated a situation, but I wouldn't regard it as of the same seriousness.

Mr. SAUNDERS. That is not one of the main respects?

Mr. LYDECKER. As to the other, well, your use of the word "main"——

Mr. SAUNDERS. Well, that was the way you put it in your answer. I made note of it at the time, because it struck me that you were differentiating between your acid tests.

Mr. LYDECKER. That was less.

Mr. SAUNDERS. Now, No. 5, the motion to recommit the naval appropriation bill, a motion designed to increase the Navy?

Mr. LYDECKER. That was one.

Mr. SAUNDERS. That was one of the main respects?

Mr. LYDECKER. Yes; I think so, in June.

Mr. SAUNDERS. A man voting against that was certainly voting against one of the main respects?

Mr. LYDECKER. I think so.

Mr. SAUNDERS. No. 6, the Cooper amendment?

Mr. LYDECKER. No question about that.

Mr. SAUNDERS. No. 7, the declaration of war?

Mr. LYDECKER. Well, I think that answers itself.

Mr. SAUNDERS. No. 8, the Kahn amendment to the conscription act?

Mr. LYDECKER. I don't think there is any question, in view of the record, that that is one.

Mr. SAUNDERS. Well, you have gotten them all main respects except one that you have shaded down just a little.

Mr. LYDECKER. Yes; and I shaded off as not being so critical, but at the same time as an evidence of forethought in regard to our preparedness.

Mr. SAUNDERS. Do you know who made the motion to recommit the naval appropriation bill in June, 1916?

Mr. LYDECKER. Who did?

Mr. SAUNDERS. Yes.

Mr. LYDECKER. Somebody named Brown. I can't tell you, sir.

Mr. SAUNDERS. You don't know?

Mr. LYDECKER. I don't recall.

Mr. SAUNDERS. Well, what was it?

Mr. LYDECKER. What was what, the amendment?

Mr. SAUNDERS. Yes.

Mr. LYDECKER. What was the reason for recommitting?

Mr. SAUNDERS. No; what was the contention of the motion? The motion to recommit always carries with it the idea of doing something, some specific thing different from that which the body actually did.

Mr. LYDECKER. I testified that I couldn't recollect very much about that, but I do recall this much, that it called for a recommitment to have the bill include the naval program that had been submitted prior to that time.

Mr. SAUNDERS. Do you know what the attitude of the President was in respect to that proposition?

Mr. LYDECKER. It was two battleships.

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Mr. SAUNDERS. You don't know really exactly what it was, except you have an idea it was an enlargement over what the House actually did?

Mr. LYDECKER. The President's idea was——

Mr. SAUNDERS (interposing). I say, you don't know exactly what this motion to recommit was, except that it contemplated an enlargement over what the House actually had done?

Mr. LYDECKER. Yes; I have told you that it criticized the incorporation of the program. I think it was for two battleships, one or two cruisers, which had been in the program, and which, I think, the Secretary of the Navy had rather opposed. That is my best recollection.

Mr. SAUNDERS. Well, I am saying I don't think I misconstrued what you said or misunderstood it. You don't state it very definitely. You stated, as well as you recollect, or your best recollection, or something of that sort, so I said it was fair to say that it was an enlargement over what the House actually had done.

Now, you make that an acid test of loyalty and patriotism?

Mr. LYDECKER. Well, pardon me, we call it vision, judgment.

Mr. SAUNDERS. That isn't the way the newspapers have it. They don't attack Congressmen for not having vision; they attack them for being disloyal and unpatriotic. That is the way this stuff went out.

Mr. LYDECKER. I am not here to defend the newspapers.

Mr. SAUNDERS. Well, wasn't that the sort of material you were sending out?

Mr. LYDECKER. No, sir.

Mr. SAUNDERS. Didn't you state in response to a question by one of my colleagues that while you used the word "unpatriotic," that you didn't wish it to be understood in the ordinary acceptation of the term, but in your idea of it with reference to your views? You have that in the record, haven't you?

Mr. LYDECKER. Well, you have very nearly what I said. I don't think I quite stated it that way.

Mr. SAUNDERS. I haven't given the exact words nor have I mistaken the meaning.

Mr. LYDECKER. I can stand by what I said in that.

Mr. SAUNDERS. Very well. Now, having that in mind, your society is undertaking to set its standard of patriotism and loyalty and public duty—which I don't object to; no Member of Congress objects to that. We have various cults in this country, and because your society undertakes to set the one standard, we don't care about that, but, at any rate, you have undertaken to set it and judge every public man by that standard, and if he doesn't measure up to that standard he is, in your view, unpatriotic and disloyal. Now, with reference to this motion here, that we referred to, this motion to recommit the naval appropriation bill, do you know what was the President's attitude with respect to that motion?

Mr. LYDECKER. I do not.

Mr. SAUNDERS. Do you know what was the attitude of the Secretary of the Navy with respect to it?

Mr. LYDECKER. My impression was that he was opposed to it.

Mr. SAUNDERS. Now, you state that with respect to that you had advised with Mr. Stimson and Mr. Von L. Meyer, who were former

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Secretaries, respectively, of War and Navy—passed out—were at that time in private life and had a perfect right to give their judgement—did you advise, your society, at all with the Secretary, the existing Secretary of War, or the existing Secretary of the Navy, with respect to the propriety of supporting that motion to recommit, or with the President of the United States, to get their views with respect to whether it was the wise or unwise thing to do?

Mr. LYDECKER. I personally did not consult with any of the gentlemen, nor with Mr. Von Meyer. I was informed that Mr. Von Meyer and Mr. Walker and others had considered this matter, and I understood they had also conferred with Secretary Daniels. In what way I don't know.

Mr. SAUNDERS. That wasn't mentioned in the first answer. That fact was not mentioned in the first answer with respect to Mr. Daniels.

Mr. LEYDECKER. No: I don't say it now for a fact. I don't know it to be a fact, but I understand from my hearing of what has been said at our meetings that the committee on naval increase, prior to the declaration of war, which was engaged in urging preparedness, had been in conference or had talked with, or attempted to talk with, the Secretary of the Navy, as well as with the ex-Secretary of the Navy.

Mr. SAUNDERS. On the merits of that proposition, in Congress we debate these things, and public men, very many public men who have a most unexceptional and distinguished reputation for ability and character, and these questions of public policy come up to them; they have to pass on them: they undertake to give their reasons for their action: those reasons go into the Record; they undertake to support their reasons with reference to the facts by the history, the policy of the country, the needs of the situation. Have you at all examined the debate in connection with that bill and the motion to recommit, or to ascertain whether or not there was merit in the attitude which was held by a majority of the Members of the House, and according to your view was held by the Secretary of the Navy—evidently was held by the President of the United States?

Mr. LYDECKER. Personally I have not made an examination of the records of the House.

Mr. SAUNDERS. In connection with your society have you undertaken to make any such examination as that?

Mr. LYDECKER. I understood that examination had been made by this committee, whose duty it was to look matters up.

Mr. SAUNDERS. And ascertain the merits of the controversy, and that it had been determined in 1917—ascertained?

Mr. LYDECKER. That the attitude of those who were opposing the naval increase was an attitude which was opposed to our preparedness urgency, and we believed it was right that there should be this naval appropriation and other preparedness, and we think that the result of the war has shown that if it had been done it would have been of benefit.

Mr. SAUNDERS. Well, we are not questioning your right to hold any view you want with respect to this matter, but we are pursuing the inquiry to ascertain whether in this matter you made any fair effort to ascertain the merits of the proposition and the attitude of public

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men from the official record, from the President down, to every ma who voted against that motion to recommit.

Mr. LYDECKER. I understood that careful investigation had bee made concerning the record in regard to that naval bill.

Mr. SAUNDERS. Did you publish the fact that the Secretary of th Navy and the President were unpatriotic in their attitude in respec to these propositions? The same as you had done with the majorit of the House?

Mr. LYDECKER. I haven't been guilty of calling you unpatrioti that I know of.

Mr. SAUNDERS. I don't know why. That is what this whole thin revolves around, the patriotism of the Members of the House.

Mr. LYDECKER. We endeavored to assist in the election of a Con gress for the prosecution of the war.

Mr. SAUNDERS. Now, let us see—of course, I understand perfectl well you are not undertaking to say to any of us personally that w are unpatriotic, but the effect of this publication going to the countr was, that in the judgment of your society, having established th standards by which public men must be measured, public attitud must be determined, that in Congress there was a very large num ber—practically an overwhelming proportion of the body—that wer undesirable members of that body, who ought not to be in public lif Isn't that the effect of this sheet that you prepared here?

Mr. LYDECKER. Well, I never thought that was the effect of it.

Mr. SAUNDERS. Isn't that the purpose of it?

Mr. LYDECKER. And if the Members of Congress were so sensitiv as to the publication of the fact——

Mr. SAUNDERS (interposing). Why do you publish facts unle you have got some purpose in view? I am trying to get your pu pose in this connection.

Mr. LYDECKER. May I state the purpose?

Mr. SAUNDERS. Certainly.

Mr. LYDECKER. The purpose of the league was to carry out i campaign to win the war.

Mr. SAUNDERS. But this started long before the war.

Mr. LYDECKER. And as the War Department in March, 1916, rea ized, there was the greatest necessity for preparedness. You wer asking me about the publication of this chart. This chart was pu lishe l the last of this year.

Mr. SAUNDERS. This particular one?

Mr. LYDECKER. Well, that is what you are asking me about. Th is what you are complaining of.

Mr. SAUNDERS. This one?

Mr. LYDECKER. That is what the purpose of the league was.

Mr. SAUNDERS. The purpose of the publication of this chart w these acid-test votes and the record of the members in relation them.

Mr. LYDECKER. According to the statement of the War Departme this war was going to last through the year 1919. The German hord were not going to be defeated until the summer of 1919. The greate efforts to stimulate the prosecution of the war was part of the ai and purpose of this National Security League. They were goi into it heart and soul to try to have as many who were full of the id of prosecuting the war with vigor, and not hesitating upon any que

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tion of the rights of our citizens on the high seas or selling munitions to the other side, or helping in any respect to end the war—peace with victory. That being so, and moving along with a vast body of patriotic men who were writing and speaking and working, this executive committee tried to do its little part to accomplish it.

Mr. SAUNDERS. Now, having in mind the statement that you have just made, don't you think that I am fully justified in the conclusion that you had ascertained with reference to the accomplishment of those great services, that there were a very large number of undesirables in Congress?

Mr. LYDECKER. I never knew whether this applied to a very large number or a very small number.

Mr. SAUNDERS. Here is your sheet. Do you mean to say send out a document like this, which anybody looking over it in five minutes can see comprehends the entire Congress, and knowing how many are marked here as desirables and undesirables——

Mr. LYDECKER (interposing). I don't think it is understood that everybody that had a vote and didn't agree with us was necessarily undesirable.

Mr. SAUNDERS. What was the purpose, then, if not to get men who agreed with you?

Mr. LYDECKER. The purpose was to have the voters pass on them, and if there was any man running against any other man who was far more enthusiastic in prosecuting the war, or a man of more vision, which is possibly the case—was the case in regard to certain socialists who were working for Germany, who were by fusion preventing from election the men that should have been elected.

Mr. SAUNDERS. Now, you are coming—nobody in Congress was in favor of not prosecuting the war after we got into it, so far as that is concerned. Do you mean to tell me that you put out this sheet with any other idea than to call to the attention of the voters that here were men that according to the standards fixed by your league, and therefore according to the one complete standard—of course, you don't apparently recognize there might be differences of judgment in respect to these matters—and calling their attention to this fact that they are proper to be eliminated? If that wasn't your purpose, what was your purpose?

Mr. LYDECKER. To inform the voters.

Mr. SAUNDERS. That was your dispassionate attitude, just informing them?

Mr. LYDECKER. We didn't campaign for anybody.

Mr. SAUNDERS. I am not talking about campaigning. Now, if you were not putting up to the voters in those districts to deal with these people who had not voted according to your notions of loyalty and patriotism and high purpose, why did you put in such statements as "What are you going to do about it?" Didn't that put it up to the people in the district of every Congressman in every district of the United States?

Mr. LYDECKER. I think it put it up to them to read what was going on.

Mr. SAUNDERS. But that didn't say anything about reading. It said, "What are you going to do about these facts we are putting up to you?"

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Mr. LYDECKER. They might educate the Congressmen, if the Congressmen were not sufficiently educated. If a man's record was bad, they would be defeated; and if he ought to be defeated, he should be.

Mr. SAUNDERS. Of course. Congressmen are not so sensitive as you seem to think about their records being put up. Every Congressman has to run on his record, so far as that is concerned. We are not objecting to our records. I have been in Congress a long time and my attitude is established by infallible records, because they are votes in the Journal of the House. You can get them. They are available. But that is not the question in this connection. The question in this connection was, if you were not by this deed putting up to the country the fact that here was an overwhelming proportion of Congress whose records were bad, according to your judgment? Wasn't that the question you were putting up to the country? You certainly were putting up that fact, weren't you?

Mr. LYDECKER. I think we were putting up facts to show that their judgment and acts were not in accord with——

Mr. SAUNDERS (interposing). Bad.

Mr. LYDECKER. No; I won't say bad—right or wrong but not in accordance with the idea of 100 per cent Americanism.

Mr. SAUNDERS. Well, that is bad, according to your judgment.

Now, looking through this sheet here, taking these eight votes, we find numbers of men all over the United States not confined to parties or States who have voted according to the classification you have made, and according to the absolute appraisement that you make of the value of his vote, that he has voted wrong. Now, aren't you putting that up to the public particularly in company with this inquiry, with the idea that there are a whole lot of public men who ought to be excluded from public life?

Mr. LYDECKER. Nobody who urges any loyalty program or any patriotic program or anything else is going to be accepted as a fountain head of wisdom and knowledge according to our opinion.

Mr. SAUNDERS. That is all I am trying to get—your purposes.

Mr. LYDECKER. According to our opinion of the conduct of the Government for the ordinary dignified assertion of its national integrity, we felt that we should have preparedness.

Mr. SAUNDERS. I am not raising any question about that.

Mr. LYDECKER. We felt that the war should be conducted with energy and vigor.

Mr. SAUNDERS. We all wanted to do that. You can not get up any issue with any member of the committee.

Mr. LYDECKER. We felt in regard to that, using the words "right or wrong," that we were simply declaring our opinion in that regard.

Mr. SAUNDERS. Certainly. You couldn't—that is all you could do.

Mr. LYDECKER. If we didn't have the right to do it we should be condemned.

Mr. SAUNDERS. I am coming down now precisely to what I have been trying to get you to state all the time. Of course, it was only your judgment; your society's judgment?

Mr. LYDECKER. Absolutely.

Mr. SAUNDERS. And I have been trying to ask you if it wasn't your purpose to bring to the attention of the constituencies in the country that here were a lot of men in public life that were undesirable, because certainly men who vote wrong on these great questions, the

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high questions that we have been dealing with for some years past. are undesirable, and they ought to be put out. That was your purpose, wasn't it, to help put them out?

Mr. LYDECKER. No; our purpose was to have the voters decide.

Mr. SAUNDERS. Now why did you vent your opinion then, in that connection, in this solemn fashion in print, if you just wanted to put up the facts to the voters in a dispassionate way? Why didn't you just give the facts to the voters and let the voters draw their own conclusions?

Mr. LYDECKER. I have no reason for saying why, except that any patriotic organization makes a certain standard of opinion which it promulgates, and we didn't say you were right or wrong, except right or wrong in the opinion of the National Security League.

Mr. SAUNDERS. Having in mind your standards——

Mr. LYDECKER (interposing). If we had been controlling the world——

Mr. SAUNDERS (interposing). Having in mind your standards, and having in mind that you advised the constituencies of those standards, and having in mind that you had proclaimed broadcast through all the instrumentalities which you had through exceedingly large contributions to circulate the fact that here was a tremendous number of undesirables, from your point of view, in public work in Washington, the country has rather rebuked your attitude, has it not, since it returned the great bulk of those undesirables?

Mr. LYDECKER. I can't answer your inquiry as to whether it has or not. If the country has rebuked us, we are glad that our standards are recognized as being high, even though our conduct may have been wrong.

Mr. SAUNDERS. Well, other people's standards may be as high as yours, so far as that is concerned, but the fact is that in the effort to impress through these agencies and instrumentalities the fact that Congress was filled with undesirables, the country has returned overwhelmingly the greater proportion of those undesirables.

Mr. LYDECKER. I can't answer you in regard to the proportion. I know nothing about it.

Mr. SAUNDERS. Here is a list and here are the recent returns of Congress.

Mr. LYDECKER. I don't understand that this chart declares they were all undesirables.

Mr. SAUNDERS. What do you mean by that? You take out eight propositions here, and I have gone over all of them with you and you make all of them main respects. You simply shade away from only one of them. Now, you put that up to the country——

Mr. LYDECKER (interposing). According to the standards of the National Security League; what it was founded for.

Mr. SAUNDERS. According to the standards of the National Security League?

Mr. LYDECKER. That is what we thought.

Mr. SAUNDERS. According to the standards of the National Security League, the country has not returned the Congress it should have returned?

Mr. LYDECKER. I have nothing to do with that.

Mr. SAUNDERS. I am asking you as a matter of fact.

Mr. LYDECKER. I can't answer you.

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Mr. SAUNDERS. If they have returned the men, an overwhelming proportion of the men that you attacked in these sheets, they certainly have not returned the men that you wanted returned.

Mr. LYDECKER. I had no wish one way or the other, except to see the Congress of 1919 made as strong as it could be.

Mr. SAUNDERS. We all wanted to see that. Now, did you want to see these men returned?

Mr. LYDECKER. I had an idea, and the league had an idea, and we attempted to carry it out.

Mr. SAUNDERS. You were so dispassionate that although you went to the gigantic expense which has been referred to in this connection, and which will be further along, to circulate this document to show the men who had not lived up to those standards of public men in these times of high endeavor, that you were indifferent as to whether those men came back to Congress or not? You put yourself in that attitude?

Mr. LYDECKER. May I state just what we refer to as gigantic expense?

Mr. SAUNDERS. I have no objection to your stating that; no. How much in the aggregate has your league handled since it started?

Mr. LYDECKER. I would like to say that this congressional committee took charge of this matter in June, and no matter what the Carnegie Corporation did, all the funds that came in, in contribution to the general funds, were used by the general congressional campaign committee. These receipts were detailed and the total receipts were $8,752.85, and the total amount of disbursements for printing, furniture, postage, congressional campaign committee, in 1918, were $5,995.68.

Mr. SAUNDERS. You do not mean to imply by that, that that is all the money your society has collected and expended in pursuance of its high purposes?

Mr. LYDECKER. In respect to the congressional committee I wish it to be stated that that is all; yes. As to its educational propaganda, or the teaching of children——

Mr. SAUNDERS. I did not limit it to that at all.

You stated, Col. Lydecker, in respect to those questionnaires you sent out, that you expected the recipients of those questionnaires to state fully their position and views?

Mr. LYDECKER. I really do not know what Mr. Auth expected.

Mr. SAUNDERS. That is what you stated. I am just reading the statement of yourself made in the progress of this examination, "We expected the recipient of the questionnaires to state fully his position and views," which will be found in the record. Now, suppose a man had sent to you his views—his reasons, for instance—for voting against this motion to recommit, the figures justifying his vote at that time, and, in fact, the whole surroundings which caused him, as a man charged with the exercise of a high public duty, to take the attitude which he did take, do you mean to say to the committee that you would have given the same widespread dissemination to what he said in reply that you have given to the material that you had put out attacking him?

Mr. LYDECKER. I understand that was the purpose of Mr. Auth, the chairman of this committee; I do not know. I never saw the questionnaires, nor had I seen the figures.

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Mr. SAUNDERS. Had you made provision for the exceedingly expensive printing and dissemination of printing matter that that would have required on your part, so that if I had been attacked in my district, and my district was sort of stirred up over the fact of my wrong votes, and I had, in response to your inquiry, given you a pretty full statement of my reasons in such a statement as in every campaign I put before the people of my district, do you mean to say that the same publicity would have been given to that as was given to these attacking records?

Mr. LYDECKER. I believe so.

Mr. SAUNDERS. That you would have distributed it in my district, mailed it out to my district?

Mr. LYDECKER. I do not know. That is a matter entirely in the hands of this committee, and the object of the committee was to be absolutely nonpartisan.

Mr. SAUNDERS. That has been stated time and again, but I want to know if you wish to put yourself in the attitude of saying that, with respect to these records and reasons that you asked us to send out, that you would have proceeded to print and distribute them, so that if you had done a man an injustice you would adequately correct the injury?

Mr. LYDECKER. I understand that was the intention.

Mr. SAUNDERS. You would have done that?

Mr. LYDECKER. We would have done that.

Mr. SAUNDERS. You would have expended just as much money in rectifying your mistake, or in distributing matter calling the attention of the voters to the fact that you had done Members of Congress a wrong as you had expended in digging up and putting out this material before the public?

Mr. LYDECKER. I think so.

Mr. SAUNDERS. What would be the effect of a motion to lay on the table?

Mr. LYDECKER. You mean in your House?

Mr. SAUNDERS. In any house, anywhere. A motion to lay on the table is not peculiar.

Mr. LYDECKER. It depends on the rules of the house.

Mr. SAUNDERS. Well, the rules with respect to a motion to lay on the table are the same everywhere, I take it.

Mr. LYDECKER. The ordinary parliamentary effect of a motion to lay on the table is to leave a matter over to be taken up if it is desired, and if there is an overwhelming vote to kill a thing it never comes up.

Mr. SAUNDERS. That you just do not want to deal directly with the proposition?

Mr. LYDECKER. Yes, sir.

Mr. SAUNDERS. When this McLemore resolution came up, having in mind just what you have said with respect to the meaning of a motion to lay on the table, and the thing came up in a way which was not dealing directly with it, by putting a man on record for or against it, and a man voted against laying it on the table, what right, even without looking into the record in this case, did you have to publish those men as being in this attitude, namely, as being in favor of causing American citizens to forego their natural, legal, and constitutional rights to travel on the high seas?

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Mr. LYDECKER. Because I thought it was the sentiment of the House to kill the resolution.

Mr. SAUNDERS. You are talking about sentiment, and yet what inquiry had you made to ascertain the sentiment of the House by looking to the records of the House? There is where we get the sentiment of the Members of the House, as expressed on the floor.

Mr. LYDECKER. I think the House regarded it as a very dangerous thing to play with.

Mr. SAUNDERS. That may be so, and they put it aside, but how did——

Mr. LYDECKER (interposing). I think they intended to put it aside forever, and I believe they did.

Mr. SAUNDERS. You are mind reading now. I am talking about practical knowledge. Certainly you were not correctly mind reading with respect to the gentleman from Nebraska, because the same record shows that that was not his purpose at all.

Mr. LYDECKER. Well, I do not know to what extent the House accepted the reasons or acted as they did. Apparently they killed the matter.

Mr. SAUNDERS. Now, as I have said before, most Members of Congress are men who have had long experience in public life, and they know that a man is convicted and judged by his record, and they are not getting away from his record, but they want that record fairly stated; and, as I said time and again, I believe you give your assent to that. A body like yours certainly would be the last one in the world to convey a false impression when the truth is easily available. Now, we have seen what was done with respect to Mr. Reavis, and I call your attention to the record, which was available to you as to any other man outside of the House of Representatives. On page 3703 of the Record of March 7, 1916, Mr. Reavis, in discussing this resolution, some little while before the vote was taken——

Mr. REAVIS (interposing). On the same day, however.

Mr. SAUNDERS. Yes; on the same day, but some hours ahead of the vote, expressed himself as follows:

> I am frank to say, Mr. Speaker, I will not support the resolution. It is not expressive of the principle I have in mind. The only reason I will have for voting against tabling it, as I shall vote, will be the statement made upon the floor of this House to the effect that if the motion to table it does not prevail, the pending resolution will be subject to amendment.

In other words, there was a distinct statement of opposition to the resolution, and an expression of a desire on the part of the gentleman from Nebraska by this vote to bring that resolution before our body, to be dealt with directly. With that available to you, you still think you treated the gentleman from Nebraska, and any others who are in the same category, as he is, fairly?

Mr. LYDECKER. I think if Mr. Reavis desired to have it amended, and the sentiment of the House was to have it killed, that the vote is a fair statement from which the world may judge.

Mr. SAUNDERS. Well, I ask again. Do you think that is an answer to my question, whether you think, in view of what I have read, you treated Mr. Reavis fairly or unfairly?

Mr. LYDECKER. In a tabular statement I do not know whether it could have been put in there that Mr. Reavis desired to have the matter kept open for amendment. I do not know why it was not

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done. My attention was not called to it, and if Mr. Reavis had communicated in any way—I had no knowledge of this particular case.

Mr. SAUNDERS. You stated awhile ago that you had with respect to the House no knowledge, but that when you prepared your Senate pronunciamento you had knowledge, and I asked you then with respect to the House?

Mr. LYDECKER. I did not say I had knowledge of Mr. Reavis. No; I did not have knowledge of Mr. Reavis.

Mr. SAUNDERS. That is what I say you said, that you had no knowledge with respect to the action of the House?

Mr. LYDECKER. I did not have any knowledge in the Senate about Mr. Reavis.

Mr. SAUNDERS. Mr. Reavis has nothing to do with the Senate. I said, in respect to the Senate, when your pronunciamento as to the Senate was put forth, you had information, or your society—and in using the word "you" I do not mean you personally, but the organization for which you stand—you did have knowledge, and thereafter you published this thing with respect to the Senate in the form in which you did, and then I asked you this question. If your society did have knowledge of this with respect to Mr. Reavis, or anybody else, do you still think that was a fair way to put this out to the country?

Mr. LYDECKER. But I do not know that we had any knowledge with respect to Mr. Reavis. I said we had knowledge about the Senate thereafter voting on the McLemore resolution.

Mr. SAUNDERS. That was not my question. I said if your society did have knowledge with respect to Mr. Reavis, or any other Member of the House, and still, in spite of that, put out this House Document, do you think that was treating Mr. Reavis and all others in his class right?

Mr. LYDECKER. I do not understand they did have knowledge. I understand after this happened——

Mr. SAUNDERS (interposing). It seems to be very difficult for you to understand, and yet you are a lawyer.

Mr. LYDECKER. I can not answer the question that involves a falsity—I do not mean that—I mean an error in the presentation of it.

Mr. SAUNDERS. You mean you can not answer a question which predicates the value of your action on a certain supposed state of facts? You mean you can not answer that?

Mr. LYDECKER. I can not answer the question, if you had knowledge concerning Mr. Reavis, and still put it out—I can not answer that because I do not admit that it was put out——

Mr. SAUNDERS (interposing). I do not ask you to admit it for a moment. I am just putting up to you two sets of facts. Either you knew what was the attitude of Mr. Reavis and others, as revealed by the record of your society, or you did not know. I do not know whether you knew or not, but you certainly knew, or you did not know. I say, if you did know, or if your society did know what the record contained, do you think that is a fair statement with respect to Mr. Reavis?

Mr. LYDECKER. Do you mean if your society had known?

Mr. SAUNDERS. Yes; or have knowledge?

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Mr. LYDECKER. Or have knowledge?

Mr. SAUNDERS. At the time it put this document out?

Mr. LYDECKER. At the time it put this document out?

Mr. SAUNDERS. As to Mr. Reavis?

Mr. LYDECKER. As to Mr. Reavis, whether it would have been exactly fair to have stated that his vote was wrong on the McLemore resolution? Is that your question?

Mr. SAUNDERS. Well, I did not put it quite as involved as that, but I will accept that in answer to the question. Now, you can answer yes or no to that.

Mr. LYDECKER. I will answer that the chart was justifiable and right.

Mr. SAUNDERS. That is, if they had known that?

Mr. LYDECKER. Even if they had known he desired to amend it.

Mr. SAUNDERS. You think that even if you had knowledge in respect to Mr. Reavis, still you say your society was justified in publishing what you did?

Mr. LYDECKER. I understand that was the sentiment of the House.

Mr. SAUNDERS. That is all right, but my question is that even if you had knowledge as to all of the facts in the record, you think you were justified, and you are standing by that attitude. If your society did not have knowledge of any of these facts, do you think they were justified in putting out that record?

Mr. LYDECKER. You mean if they did not have knowledge about Mr. Reavis, were they justified in putting out the charts as they did?

Mr. SAUNDERS. Yes.

Mr. LYDECKER. Yes.

Mr. SAUNDERS. Still justified?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. So in either situation you think they were right?

Mr. LYDECKER. Whether they knew or not.

Mr. SAUNDERS. Having in mind that Mr. Reavis's situation here is precisely the same as that in the Senate, will you explain to this committee why you made such a distinction between your charts as to the House Members and the Senate? You have just stated that even if you had the same knowledge with respect to Mr. Reavis that it seems you actually did have as to Senators, still you would be justified in putting out this chart as it was, but with precisely the same knowledge as to the Senators you stated it so entirely differently. Will you tell me why you made that distinction, in the same state of facts, between the Senate and the House?

Mr. LYDECKER. I said with respect to any explanation concerning Mr. Reavis, or any other gentleman, the league was very desirous and willing to publish any explanation, and give it wide publicity.

Mr. SAUNDERS. You have said that time and again. I will put the question again. You are an intelligent man. You are an examiner yourself of witnesses. I will ask you this question: You have just stated that even if you had had full knowledge of the record with respect to Mr. Reavis, which the record now shows, you still would have been justified in putting that chart out exactly as you did. I will ask you why, when you had that same knowledge with respect to the Senate, you did not treat them as you did the House Members. Why did you publish a different chart with respect to the Senators, and leave them in the same situation, but did not ex-

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pose them to criticism at all? Why that distinction? You certainly did it. Here are the two records. Why the distinction?

Mr. LYDECKER. The vote of certain Senators was spoken of as having been made on a certain theory, and not on the theory that they were going to amend the resolution, but that they wanted to vote and kill it. I never understood that anybody wished to amend it or continue it. Possibly there were a number of House Members that voted against tabling it with the idea of calling the question up and killing it. That would put us in precisely the same situation as you wished to put the Senators in. There was nothing on record to put us on notice that they did that.

Mr. SAUNDERS. Was there anything on record to put you on notice that the Senators did it?

Mr. LYDECKER. There was.

Mr. SAUNDERS. What was it?

Mr. LYDECKER. I will have to refer you to Mr. Auth, as this came to me by word of mouth.

Mr. SAUNDERS. Here is what you put in your chart. I did not presume you would be putting out with respect to any league record what some Senator ran up to you and suggested privately as to his attitude. I supposed you would go by the record. I understand that immediately after the vote was announced, a number of Senators voted against tabling the resolution, and made speeches explanatory of their vote, which qualified and modified their actions. That is Mr. Reavis's situation exactly.

Mr. LYDECKER. I would have been very glad if that had been put on the other.

Mr. SAUNDERS. Why would you have been very glad if that had been put on the other?

Mr. LYDECKER. Because, so far as the data was concerned, it was correct.

Mr. SAUNDERS. You just admitted you have not done Mr. Reavis any injustice, even with full knowledge of the facts.

Mr. LYDECKER. It is never too late to have any amplication.

Mr. SAUNDERS. Do you want to take that back?

Mr. LYDECKER. No; I do not want to take it back.

Mr. SAUNDERS. You still stand by it, then, that you did right, even with knowledge of the record?

Mr. LYDECKER. I never wished to do any injustice. I never had any opportunity of making any qualification or correction of it, as I know of. The chart had gone out, and it could not be different from what it was. It was there.

Mr. SAUNDERS. Now, Col. Lydecker, you said that one of the purposes of your society is for adequate national defense. That does not mean anything, does it?

Mr. LYDECKER. I do not know why you ask me that question. It does not mean anything?

Mr. SAUNDERS. If it means anything, I wish you would tell me precisely what that means. We have different arms of defense. We have flying machines, we have submarines, we have battleships, and so on, and then we have the Army. Now, having reference to those arms, when you say you are for preparedness, or for adequate defense, do you mean anything?

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Mr. LYDECKER. When we say we are for adequate defense we mean something.

Mr. SAUNDERS. I imagine there is not anyone in this room who is not for adequate defense—I hope just as thoroughly as you are—but when you state that sort of generalities you do not get anywhere.

Mr. LYDECKER. No.

Mr. SAUNDERS. And yet you create the impression on the country that somebody who does not agree with your conception of an adequate defense is against all defense, unpatriotic, un-American, not 100 per cent American?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. When you announce a proposition like that do you not think you ought to have in mind how many soldiers, how many ships, and how many flying machines, etc., constitute an adequate defense? That is why I said that phrase did not mean anything. What does it mean?

Mr. LYDECKER. I think we have undertaken a proposition of education to tell people that adequate defense means something more than soldiers. It means all the elements that go to make a country capable of maintaining its national integrity, whether it be the subject of forts, fortifications, transportation, whether it means the matter of hospital arrangements, whether it means those things which appertain to an organized condition of force in which the country would feel at least that it was capable, if we were on the earth at the time, when there was any such thing as a seventy million nation of barbarians attempting to destroy our entire civilization—that is, our American civilization—that we would have some way of having our citizens and our material properties in shape to defend us.

Mr. SAUNDERS. Well, I imagine in that glittering generality you announced there is not a man in this room who would not agree with you, but that has not gotten us anywhere yet at all.

Mr. LYDECKER. No.

Mr. SAUNDERS. When you get up in Congress, that deals with one phase of preparation, the fact that you say you are for adequate defense does not determine what is adequate defense?

Mr. LYDECKER. No.

Mr. SAUNDERS. You have not gotten anywhere at all. In your conception of adequate defense you do not want more armies and flying machines and submarines and all these others things that make up the fighting arm of the country than the necessities of the Nation reasonably apprehend and require, do you?

Mr. LYDECKER. We want absolute economy, and we do not want any militarism in this country.

Mr. SAUNDERS. You do not want one more soldier than the necessities of the situation demand, do you?

Mr. LYDECKER. I understand that 1,000,000 men sprung to the defense of the country in a night.

Mr. SAUNDERS. A million men would spring to the defense of this country in a night, but they would not be ready to go to war. You have announced that you did not want any militarism or any more soldiers than the necessities of the situation, such as you have outlined, require.

Mr. LYDECKER. I do not agree with you right there. I believe that your son and my son should have the elements of a soldier in him.

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You have not got to wear a uniform to be a soldier. A soldier is a man who has got a head on him and who will stand up against fire.

Mr. SAUNDERS. All right, I believe all that, too; but you do not want those things if the necessities do not require them, do you?

Mr. LYDECKER. Well, I do not know what you mean.

Mr. SAUNDERS. I mean to say that the necessities may require it, but if you are satisfied that the necessities do not require it you do not want all those things?

Mr. LYDECKER. I want all the time every boy in this country educated and trained, at least, to know that when he becomes 18 years of age, under our law, he is a soldier and is obligated to defend his country and carry a gun for three years before he gets the privilege of a vote. I want everyone to feel that obligation, and I want him to train himself physically and mentally, and I want him to have the character of a soldier, and I want and this association wants——

Mr. SAUNDERS (interposing). All right, I will agree with you on that.

Mr. LYDECKER. That is what I mean by adequate preparedness.

Mr. SAUNDERS. That is only one phase of it. I understand that perfectly well.

Mr. LYDECKER. I have lived a great many years, and I know that it takes a long time to have anything carried out.

Mr. SAUNDERS. In Congress we have got to work with concrete things. All of that is mighty fine for your societies to talk that way and collect money to send out your cult and attack other people that do not agree with you; all that is very fine, but we have got to work with concrete things in Congress, and when there is put up to us a proposition of $250,000, $300,000, or $350,000, or two battleships a year, or three cruisers instead of two battleships, we have got to deal with those things as a concrete proposition, whether two battleships a year is enough or not enough.

Mr. LYDECKER. And you had to deal with a $26,000,000 situation.

Mr. SAUNDERS. That has nothing to do with what I am talking about. Do you suppose we would have had any less million-dollar propositions if we had built battleships instead of battle cruisers as the Secretary of the Navy wanted? You are getting entirely away from the proposition. That sort of thing does not get you anywhere.

Mr. LYDECKER. I do not wish to censure anybody. I only wish to show that adequate preparedness requires certain things to be done.

Mr. SAUNDERS. I am coming back to that. You would fix your standard, then, of what you thought adequate preparedness was. Now, we are getting down to concrete facts, but do you believe in an army of 1,000,000 men or 2,000,000 men?

Mr. LYDECKER. I do not believe in an army of 2,000,000 men.

Mr. SAUNDERS. You can not tell me what you believe in, because adequate preparedness is nebulous, and you can not get anywhere with it, but this is certainly a proposition that you will agree to, because I am trying to get some standard by which we have got to work out these things, that you do not want any more battleships or any more cruisers than the adequate defense requires?

Mr. LYDECKER. Quite true.

Mr. SAUNDERS. Now, when we in Congress are confronted with the proposition of how many battleships and how many cruisers are re-

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quired we have got to decide that according to the very best inf mation we can get and in consultation with the very best authorit we can get.

Mr. LYDECKER. Yes, sir.

Mr. SAUNDERS. Now, when we do that, and use our own ju ment in that case, and get the views of the President, we will s in that connection, and of the Secretary of the Navy in that c nection, and our knowledge of public conditions, and we vote conformity with this knowledge against a motion to recommit, you think that the great body of the House of Representati Democrats and Republicans, who voted against the motion to commit should be spread all over this country by your society unworthy Members of this great legislative body? Do you th that is fair?

Mr. LYDECKER. No.

Mr. SAUNDERS. That is what you have done.

Mr. LYDECKER. I do not think we have quite done that. I th we have excepted to the vision of the Members of Congress.

Mr. SAUNDERS. I have no objection to your lauding yourselve having more vision than we have got. Maybe you have. Tha a question I am not entering into here, but you say you do think you have done that. What did you do except that very thi by No. 5? You set your standard on the advice of Mr. Stimp and Mr. Von Meyer, both of them ex-offi ials of the Governm and upon the strength of the advice you got you brand the r who voted in conformity with the views of the President and views of the public, certainly a majority of the public, and views of the Secretary of the Navy, as being undesirables.

Mr. LYDECKER. It was against the recommendation of the Na Committee.

Mr. SAUNDERS. I do not know anything about that. I do think in this matter we are in conflict with the recommendations the Naval Committee.

Mr. LYDECKER. I think you were there.

Mr. SAUNDERS. You have got some recommendations outside that?

Mr. LYDECKER. I think the recommitment was to carry out recommendations of the Naval Committee.

Mr. SAUNDERS. Even then you do not get anywhere. You yourself on record as justifying No. 5 by saying that we voted c trary to the recommendations of the Naval Committee, do you?

Mr. LYDECKER. I said that was my impression.

Mr. SAUNDERS. I presume the test of this thing being the exten our military armaments, that you gentlemen have fixed a program sufficiency in that respect. If you have not, how do you, as the re of what you require, reach a conclusion as to what is an adequ armament? Do you reject the views of men as intelligent as yo selves, many of them better fitted to have knowledge of the facts t yourselves, and pronounce them as unpatriotic, merely because c men of a different cult or school thought differently as to the deta Is that the way you arrived at your standard?

Mr. LYDECKER. No; not altogether.

Mr. SAUNDERS. That is one way!

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Mr. LYDECKER. We have a defense act which provides for a National Guard of 420,000 men, approximately, and just what the policy of the Government should be is a matter that I think you gentlemen are fully competent to deal with, and I do not think there has been any quarrel in any way with that.

Mr. SAUNDERS. This sheet deals entirely with the actions of public men in those very respects. You say you have no quarrel with us about it, and the purpose of all this has been to make as difficult as possible for every man you have blacklisted here to return to Congress, and yet you say you have no quarrel with us about it—you have no personal quarrel with us?

Mr. LYDECKER. No quarrel over the defense act, nor over the magnificent way in which Congress has stood up to the recommendations since the war has been on.

Mr. SAUNDERS. I would like to ask you about that. It seems to me you are getting into a position rather of inconsistency. You express admiration for the magnificent way in which Congress has stood up since the war started, which is true, and yet you publish a sheet here which is intended to advise the country that the men on that sheet are really sort of half-hearted men, and really undesirables?

Mr. LYDECKER. I do not know whether you think all the men in Congress were equally gifted with respect to the carrying out of the efforts to protect the Government during the year 1914 to the present time.

Mr. SAUNDERS. They are not equally gifted. None by nature or intellectual position or moral position is equally gifted with another, but you have made the statement that we have done magnificently, that we all wanted to win the war, and yet you send out a statement to the public that we are not fit to be returned to Congress. Do you think that is a consistent attitude?

Mr. LYDECKER. I do not think there has been any attempt to drive men out of Congress.

Mr. SAUNDERS. That was the effect of it, and some of them, as the result of this record, were defeated, and others had to battle against it, and others who have come back here have come back not because it has helped them. I do not presume Mr. Reavis, who is here, nor a great many of us who have come back, have come back by virtue of any help it has given us.

Mr. REAVIS. I think it helped me. I doubled my vote.

Mr. SAUNDERS. It was not designed to help you.

Mr. REAVIS. No; it was not designed to help me.

Mr. SAUNDERS. I will just ask you a single question as to this. You stated in the course of your examination that the purpose of your league was to make public the record of Congress as it is made. In view of all that has been brought out here in the course of the day with respect to the votes of individuals, the effect of amendments, and the effect of bills, do you still think that you in this way have fairly, as a high-minded, patriotic society ought to do, put out to the country the record of Congress as it was made? If you do, you can say yes, and then I have another question to ask.

Mr. LYDECKER. I certainly think that the intention and purposes of the league were right and correct in making known the facts as that record shows them.

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Mr. SAUNDERS. And you are satisfied that in this record you have done no injustice to anyone and you fairly put before the country the facts?

Mr. LYDECKER. I am not prepared to say that any act of mine at any time may not have done an injustice to anybody. I would be the last man to wish to do injustice, but as far as any injustice is concerned, I would bend every effort on my part to correct any injustice I had done. So far as the views of the league were concerned in its patriotic efforts, all of these members of this executive committee that I have read to you had one single purpose, and that was to have our Congress, that was going to fight the war of 1919, a Congress that would be for prosecuting the war without any let or hindrance.

Mr. SAUNDERS. Now, having that in mind, if we had done magnificently, don't you think that a body that had done magnificently could be trusted? The war was about over and we had done magnificently. Do you think we would have betrayed that trust, having done superbly?

Mr. LYDECKER. I am willing to say to you right here now that there were some Members of your Congress that I would have been very sorely disappointed to see returned, and some of those whose constituents were very sorely disappointed to have returned, and they were defeated, and by our efforts those men who were pro-German, and I mean to say practically, avowedly so, were defeated, and we urged fusion in some of those districts. It may not be so in some of the Western States, but in some of our cities we have very extraordinary populations.

Mr. SAUNDERS. We are certainly getting far away from that dispassionate attitude first announced. Now, you attempt to compel, as the result of your activities, fusion, and it looks to me very much like we are getting very deeply into politics.

Mr. LYDECKER. We urged it.

Mr. SAUNDERS. I thought you had in mind Members of Congress that your league desired to see returned. Why, it is suggested that even some of them were pro-German. I suppose you gathered from these votes here that they were pro-German. That is the only way you can gather it?

Mr. LYDECKER. I do not know whether those votes will show that, but there was certainly a man who made speeches on the floor of your House that was far from being acceptable to our American spirit.

Mr. SAUNDERS. We are certainly now getting into personal animos. Do you state that you wanted to get the record as it is, so that a fair conclusion, favorable or prejudicial, might be drawn, and you did not want to do any man injustice, which is a high purpose, and you still state in view of what has passed here this evening, that this has accomplished those intentions that you fairly state the record as it was with respect to the Congressmen embraced in its contents? If you think so, as you say, I have nothing further to ask in that connection. And in that same connection I have called attention to the fact that in referring to "you" I am not making it personal to you but have in mind your organization for which you stood. I ask you now if you are satisfied with the work of your organization, and you can answer yes or no?

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Mr. LYDECKER. Yes; I answer yes.

Mr. SAUNDERS. You have nothing to regret in connection with the publication of this document, because you have done it fairly and done no injustice?

Mr. LYDECKER. Not intentionally.

Mr. SAUNDERS. But to put the public in possession of the facts?

Mr. LYDECKER. I am perfectly willing to make any correction.

Mr. SAUNDERS. Do you insist upon the words "intentional injustice"?

Mr. LYDECKER. I do not think so. It has not been pointed out to me.

Mr. REAVIS. I would like to ask just one or two questions. To be perfectly fair with you, I want to read that portion of what I said on the McLemore resolution, on the day it was voted on, in which I say:

"I am frank to say, Mr. Speaker, that I will not support the resolution. It is not expressive of the principle I have in mind. The only reason I will have for voting against tabling it, as I shall vote, will be the statement made upon the floor of this House to the effect that if the motion to table it does not prevail the pending resolution will be subject to amendment. The amendment to be offered was read by the gentleman from Kansas, Mr. Campbell, which amendment is not pugnacious to any principle of international law. It recognizes, instead of denies, the rights of American citizens to travel upon armed merchant ships of the belligerent powers."

Now, with that statement made in the course of that debate by me, that I would not vote for the resolution because it denied certain international rights that our citizens had, but preferred to vote for the amendment of Mr. Campbell, which recognized that right as an international right, do you think it is quite fair to send out the statement that I supported a resolution that would deny those rights?

Mr. LYDECKER. Will you read me the resolution of the Member from Kansas?

Mr. REAVIS. The resolution was never offered.

Mr. LYDECKER. The amendment that was offered by the Member from Kansas?

Mr. REAVIS. Mr. Campbell?

Mr. LYDECKER. The amendment that the Member from Kansas, Mr. Campbell, offered. Is that in the record?

Mr. REAVIS. It is in the record somewhere. It was read by him in the course of a speech stating he would introduce that as an amendment to the McLemore resolution. I stated in my speech that I would not vote for the McLemore resolution because it denied certain rights that our citizens had under international law, but I would vote for the Campbell amendment to that resolution, which recognized those rights, and in the face of that speech on the McLemore resolution you sent out this circular stating that I voted for a resolution that denied rights, the very rights which I said would inspire me to vote against the McLemore resolution. Do you think that was quite fair?

Mr. LYDECKER. I understand that the amendment that you desired to put was that they would not be denied the right to travel on merchant ships that were armed.

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Mr. REAVIS. The amendment, as I remember it, and I am only stating the subject matter, and I do not pretend to absolute accuracy was this, that it recognized the international right that American citizens had to travel on the armed ships of belligerent nation, but suggested to them that inasmuch as it might create trouble and involve the United States in war, it asked them not to do it. It recognized the right. I stated I would not vote for the McLemore resolution because that resolution denied that right. Notwithstanding that statement made during the course of the debate and recited in the Record of the same day, when the vote on the McLemore resolution was taken, you in that circular which you sent out made the statement that I voted for a resolution that denied that right. Was that quite fair?

Mr. LYDECKER. I do not think it was as fair as if that entire record could have been set out there. I am frank to admit that.

Mr. REAVIS. You stated further that there were certain members of Congress who had indicated that they were pro-German by speeches you knew they had made on the floor. Now, if their speeches had been called to your attention, or if you could find their speeches why could you not find mine, when it was in the same day's Record that you did find the McLemore resolution?

Mr. LYDECKER. I do not know of any speeches on that day that fell within the category of speeches that I believe I have read. I think the Congressman was Meyer London; I think so.

Mr. REAVIS. Yes. Now, Mr. Witness, we are not talking about Meyer London, and I want to get back to this other proposition. You say we had a right to make an explanation if we had been incorrectly quoted, or if our views were not correctly reflected. How could we make this explanation when these sheets were sent to our districts and not sent to us? How could we ask you to correct? It was then too late.

Mr. LYDECKER. I do not know how it was too late. I do not know when it was brought to your attention that they were being circulated in your district. I do not know that. I do not know who circulated them.

Mr. REAVIS. I am frank to say that further in this same speech I made the statement that I would not be willing to go to war nor to plunge this Nation into war if some American lost his life while traveling on these armed ships of a belligerent nation, when neutral ships were leaving the ports every day, but I would not vote for a resolution that denied that right, and yet you quote me as having voted for a resolution that did deny that right. Do you think you correctly reflected my attitude with respect to the McLemore resolution?

Mr. LYDECKER. Possibly not accurately.

(Whereupon the committee adjourned until to-morrow, Friday, December 20, 1918, at 10 o'clock, a. m.)

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NATIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

DECEMBER 20, 1918

PART 2

WASHINGTON
GOVERNMENT PRINTING OFFICE
1918

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Friday, December 20, 1918.

The committee met at 10 o'clock, Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. Now, Mr. Walsh, will you please interrogate the witness?

STATEMENT OF MR. CHARLES E. LYDECKER—Resumed.

Mr. WALSH. It is a fair statement to say that in 1914 you and some other gentlemen were considering the condition of the state of preparedness of the country, and after the conference determined upon some form of organizattion to advocate putting the country in a more adequate state of defense?

Mr. LYDECKER. I think that is a very correct statement.

Mr. WALSH. And of course that idea was inspired wholly by a patriotic reason?

Mr. LYDECKER. Absolutely; nothing else.

Mr. WALSH. And it was neither suggested nor furthered by anybody, as far as you know, having any personal interests at stake?

Mr. LYDECKER. Absolutely. On the contrary, there was a distinct consciousness of the necessity of having our acts and our associates in every way as clear in their understanding that they were working from a patriotic motives, as we were.

Mr. WALSH. Do you think that patriotism is a matter of degree?

Mr. LEYDECKER. There is a question in theology whether sin is a matter of degree, and that same discussion might arise about patriotism. In my own mind I answer yes, there are degrees of sin and degrees of patriotism.

Mr. WALSH. You consider patriotism to be love for one's country?

Mr. LYDECKER. It is a mental attitude, inspired by love and intelligence.

Mr. WALSH. Love for the country and its laws and institutions?

Mr. LYDECKER. When you speak of the country you speak of the aggregation of principles which bind the people of a country.

Mr. WALSH. And that is what you referred to when you were speaking of love and intelligence?

Mr. LYDECKER. Yes.

Mr. WALSH. Now, at the time when you gentlemen considered starting this organization did you personnally—or have you knowledge of any of the gentlemen—have in mind that this country might be drawn into the European war?

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Mr. LYDECKER. I do not think that we were impressed with any very positive fear, but the consciousness that we were in relation to the war was present in our mind.

Mr. WALSH. Nobody, as far as you knew, at those early conferences prior to the incorporation of the society, had prophesied that we sooner or later might become a party to the struggle in Europe?

Mr. LYDECKER. I can't answer that very clearly, because the question of war was not alone the question of preparedness. The question of respect for the assertions of your honorable body and the President of the United States in regard to the rights of men, as embodied in our Government, we believed were only going to be given respect if we were a manly Nation and had the means of defense, and had the means of speaking as one with some power in the nature of force behind us.

Mr. WALSH. Now, do you, as president of this organization, think that in 1914 the people of the Unitel were not patriotic in the sense that their state of mind was not such as to recognize the need for more adequate preparedness?

Mr. LYDECKER. I do not like to say the people were not patriotic, but in the way you describe it, as not possessed of the zeal to fill out what you have said, I think that they were not. I do not think that they were informed, enlightened.

Mr. WALSH. Well, I understood you to say that patriotism was a state of mind.

Mr. LYDECKER. Yes; founded on love and enlightenment.

Mr. WALSH. And it is something that can be fostered and promoted?

Mr. LYDECKER. Unquestionably.

Mr. WALSH. And that was one of the purposes of your organization, to arouse enthusiasm and patriotism amongst the people?

Mr. LYDECKER. I think that was the sole purpose of our organization.

Mr. WALSH. Now, Colonel, has your league a counsel?

Mr. LYDECKER. No: if you ask if we have a counsel here today——

Mr. WALSH (interposing). No: has it a counsel or an attorney whom it employs or who acts for it or whom the officials consult?

Mr. LYDECKER. None whatever.

Mr. WALSH. The charter which was granted by the State of New York contains this language:

> And generally to do all things that lawfully and properly may be done to provide for the United States adequate and efficient defenses by land and sea, and thereby a reasonable assurance against war.

That thought is in line with the ideas which you gentlemen had at the start—that if we were prepared on land and sea we would be in a position to maintain or support any demands made, and it might result in keeping the country out of the war?

Mr. LYDECKER. We thought so.

Mr. WALSH. You have several committees in your organization, Colonel, do you not?

Mr. LYDECKER. Yes, sir.

Mr. WALSH. Will you tell me who was the chairman of the committee on Navy in September, 1918?

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Mr. LYDECKER. When the war was declared in April, 1917, our committees on matters relating to the Army, Navy, and militia all went out of business. That was a governmental matter, and we didn't carry on the work of these committees from that time.

Mr. WALSH. Well, prior to April you had a committee on Navy?

Mr. LYDECKER. Mr. John Bernard Walker was the chairman of the committee, one of the editors of the Scientific American.

Mr. WALSH. And who was the chairman of the committee on the Army?

Mr. LYDECKER. I think Mr. Stimson was—Henry L. Stimson, ex-Secretary of War.

Mr. WALSH. And who was the chairman of the committee on the militia?

Mr. LYDECKER. I was.

Mr. WALSH. And who was chairman of the committee on transportation?

Mr. LYDECKER. I do not recall that that committee was ever formed.

Mr. WALSH. Who was chairman of the committee on management?

Mr. LYDECKER. On management?

Mr. WALSH. Yes.

Mr. LYDECKER. I think the executive committee was the sole managing committee in the organization, and Mr. E. Stanwood Menkin was the chairman.

Mr. WALSH. Did you have a committee on public utilities?

Mr. LYDECKER. No.

Mr. WALSH. Are you a member of any of the societies or associations or organizations?

Mr. LYDECKER. Oh, yes.

Mr. WALSH. What other organizations?

Mr. LYDECKER. What do you mean, religious, legal, or what?

Mr. WALSH. Outside of fraternal and religious.

Mr. LYDECKER. I belong to three or four clubs in the city of New York.

Mr. WALSH. Which ones?

Mr. LYDECKER. The Manhattan, the New York Athletic, the Lawyers, the Phi Gamma Delta Club, various organizations like the Holland Society. I can't recall at this minute all of them.

Mr. WALSH. Are you a member of the Navy League?

Mr. LYDECKER. Yes; I joined the Navy League a number of years ago and became a life member. I had nothing to do with the Navy League for three years.

Mr. WALSH. Are you a member of the American Defense Society?

Mr. LYDECKER. No.

Mr. WALSH. Or the American Rights?

Mr LYDECKER. No.

Mr. WALSH. What are your politics, Colonel?

Mr. LYDECKER. I am a Democrat by inheritance, and I may say by conviction.

Mr. WALSH. Have you ever held public office?

Mr. LYDECKER. Yes.

Mr. WALSH. Elective office?

Mr. LYDECKER. No.

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Mr. WALSH. Have you ever been upon any campaign committee in New York State or city?

Mr LYDECKER. Well, I don't know whether I was a member of a committee in my district when I was a member of the Tammany Hall organization, as I once was. The committee were made up, as you know, of long lists of names, and I may have been. To answer you categorically yes or no, I have never been asked on any campaign committee in any political proceeding unless it may possibly be that—what is that called, Independent Democracy, Mr. West?—No, the Democratic League. I think I was a member of that for a few minutes, but there was no active part taken by me in that matter.

Mr. WALSH. Now, you have been president of the National Security League since March?

Mr. LYDECKER. Since June 26 of this year.

Mr. WALSH. Now, how many times since June of this year have you conferred with Mr. Elihu Root about matters connected with the league?

Mr. LYDECKER. I have seen Mr. Root once.

Mr. WALSH. When was that?

Mr. LYDECKER. And that was perhaps a month ago.

Mr. WALSH. After the election?

Mr. LYDECKER. I am quite sure it was, and I do not hesitate to tell you what I saw him about, if you wish me to.

Mr. WALSH. Yes; if you will state.

Mr. LYDECKER. The only matter that I have conferred with Mr. Root about was on the question of the advisability of our having a so-called security-league congress or mass meeting at which the members would meet and discuss such matters as appeared to be expressed by the word "reconstruction." I was personally unwilling to urge having a mass meeting to discuss reconstruction, because I thought things were in too chaotic a state, and I desired to ask him what he thought as a wise man.

Mr. WALSH. How many times since you have been president have you conferred with Hon. Alton B. Parker?

Mr. LYDECKER. Well, I have talked with Mr. Parker much more frequently, because I have met him at the Lawyers' Club where we frequently go to lunch, and I may have exchanged words with Mr. Parker a dozen times in the last six months.

Mr. WALSH. How many members have you in this league?

Mr. LYDECKER. In the league?

Mr. WALSH. Yes.

Mr. LYDECKER. I can't tell you. The joining of the league is a matter of effort throughout the country at the different branches, and I think our by-laws authorize the form of associate membership for a very nominal sum. I think it is 25 cents in some cases—in some rural districts—and in New York and its vicinity our membership is a one-dollar membership, and these come and go—that is, they expire, if you please, at the end of a year.

Mr. WALSH. But you keep a record, do you not?

Mr. LYDECKER. There is a record thought to be kept throughout the country, but I can not say that that record is very accurately kept or that anybody could at any moment tell precisely; but we estimate that there are somewhere around 80,000 enrolled, or 85,000.

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We have thought it was 100,000 at times, but the exact membership was not a matter of actual business fact that we have kept tab on.

Mr. WALSH. And, of course, the receipts from membership dues, if you have 85,000 or 100,000 members, would not have been sufficient to pay the expenses which have been incurred by your organization in its work?

Mr. LYDECKER. You understand that we have a membership also of $50, $25, and $100, and $5.

Mr. WALSH. Yes.

Mr. LYDECKER. So that if there were enough of those there might have been enough to pay for all these expenses.

Mr. WALSH. Eliminating the possibility and the "if," there had not been?

Mr. LYDECKER. There have not been enough. We have spent money that has been donated for this educational purpose.

Mr. WALSH. Now, Colonel, I understood you to say that it was not your purpose to engage in any partisan contest or in any political campaign?

Mr. LYDECKER. Yes.

Mr. WALSH. Do you say, as a member of the National Security League, that publishing a chart containing the alleged record of Members of Congress upon certain measures which your league had picked out and circulating that in districts of the Members who were mentioned upon that chart, is not participating in a political campaign?

Mr. LYDECKER. Well, I couldn't answer you, categorically, that it is not participating.

Mr. WALSH. I would like your opinion now as president of the league.

Mr. LYDECKER. I think every citizen who expressed his opinion about any matter connected with an election is engaged, under our form of government, in a participation in a political matter, and I assume that our work affected a political campaign.

Mr. WALSH. Mr. Lydecker, as president of this organization, being familiar with what was done, and knowing the purpose of your effort, and being inspired by the lofty motives which you say you were, do you say, as the chief official of this organization, that the activities which your organization conducted with relation to members of Congress and their election or defeat was not engaging in political campaigns?

Mr. LYDECKER. I answer you as a lawyer and also as president of the National Security League that, in my opinion, they were not participating in any political campaign. I may be in error, but that is my opinion.

Mr. WALSH. The purpose was to educate the people?

Mr. LYDECKER. Yes, sir; our belief was that a safe democracy is only a safe democracy when it becomes educated and is composed of persons of character.

Mr. WALSH. The purpose was to educate the peoples of the various districts with respect to the records of their Representatives in Congress?

Mr. LYDECKER. That was that chart.

Mr. WALSH. Well, the purpose of your league in what it did in relation to congressional elections was to enlighten and educate the

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people of the various congressional districts with respect to the records of their Representatives?

Mr. LYDECKER. That was a very small part of the work of the league, but that was the object of that chart.

Mr. WALSH. I say, with reference to your activities relating to congressional elections, your purpose was to educate and enlighten the people of the various districts with respect to the records of their Representatives in Congress?

Mr. LYDECKER. Yes.

Mr. WALSH. Now, Colonel, this chart which was prepared by some other official of your league, and which you saw before it was sent out, contains the brief but significant question, "What are you going to do about it?" Of course, that was an interrogatory addressed to the voting population of the districts where the chart was circulated, was it not?

Mr. LYDECKER. It was addressed to everybody, not alone to the voters. It was addressed to everybody.

Mr. WALSH. Was it addressed to aliens?

Mr. LYDECKER. Absolutely; everybody that read it. If there are any aliens that have been permitted to vote in this last election, they might have the benefit of it. I don't know whether there were. I am told there were.

Mr. WALSH. Well, was it addressed to the young men of 18 years of age?

Mr. LYDECKER. Everybody.

Mr. WALSH. So that the mere fact that that was printed on that chart and the chart was circulated, in your opinion carried no particular significance to the voters of the country?

Mr. LYDECKER. It was not especially devoted—addressed to voters. It was addressed to men, women, aliens, anybody, in its broad general statement, as I understand it.

Mr. WALSH. Well, what did you expect that aliens, women who could not vote, and minors, who read that chart, would do about it?

Mr. LYDECKER. Personally I had no expectation, for my attention was not called to it.

Mr. WALSH. I see. In your examination yesterday by my colleague Mr. Reavis, in referring to this question upon the chart he asked:

> Was not that interrogatory addressed to the voters of the United States?

And you replied:

> It certainly was intended to be addressed to all voters and those having any influence over voters.

And Mr. Reavis said:

> And that was its final and ultimate purpose?

And you replied:

> No doubt of that.

I am reading from the bottom of page 78 of the record. You are still of that opinion, Colonel?

Mr. LYDECKER. I think I stated the same to-day as I stated yesterday.

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Mr. WALSH. And having that opinion, you still say, as an attorney and as president of the league, that this organization was not participating in political campaigns?

Mr. LYDECKER. Yes; that is what I say.

Mr. WALSH. Has your organization or any official of it filed any return of expenditures with the Clerk of the House of Representatives or the appropriate official of any State under the requirements of lawmaking necessary the filing of returns of expenditures of money for political purposes?

Mr. LYDECKER. No statement has been filed, to the best of my knowledge and belief.

Mr. WALSH. And then I assume that the reason for filing no statement is because you and the other officials of the league believe that you were not expending money for political purposes?

Mr. LYDECKER. Until I have the oportunity of reading the speech of Mr. Frear, made in Congress on the occasion when this committee was appointed, my personal attention had not been directed and I did not know of any thought that any statute required the filing of any report. Any report would have been filed with the utmost alacrity if there had been any knowledge or thought that we came within the perview of any law. Since that time I have been informed of the law and this meeting has been called sometime after—I think there was some provision of time in the matter and there is no objection to filing such a report if this committee indicates in any way that we should file such a report. But our own belief is—and we have not taken the advice of counsels—we perhaps should not be our own advisers and have ourselves for clients—but if this committee says that we should, that within its conception of the meaning of the language of the statute which they have enacted; that the Anti-Saloon League or the Woman's Suffrage organization, or the National Security League, or the Defense Society, or any two or three men that are gathered together and extend their influence over two States must file a report of what they have spent in doing so, this league will happily comply with the law. But we do not understand that it is the law that this league should file a statement of what it published, any more than that the daily papers should file, which circulates through half a dozen States—for they are certainly engaged in political campaigns. I don't understand as a lawyer that that was the intent and the purpose of your enactment. We have not consciously violated the law.

Mr. WALSH. And that is the reason that no statement has been filed—that among others?

Mr. LYDECKER. Those are the reasons why the statement has not been filed.

Mr. WALSH. Colonel, how many rooms do you occupy at your headquarters in New York?

Mr. LYDECKER. Well, we hired a fairly large floor space and have put up partitions dividing it into some various rooms, and I think that the total of our rooms will be somewhere around eight or nine.

Mr. WALSH. One of the qualifications of membership is that they should be native-born American citizens?

Mr. LYDECKER. Of this league?

Mr. WALSH. Yes.

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Mr. LYDECKER. Really, I can't answer you that without referring to the by-laws. A league of this character, I think, has made no close criticism of those who wished to join it, whether they were native born or otherwise.

Mr. WALSH. Well, if that is one of the requirements of your by-laws, you haven't permitted that to be waived, have you, at any meeting?

Mr. LYDECKER. Not consciously.

Mr. WALSH. Do you know if all the officers of your organization are native-born American citizens?

Mr. LYDECKER. I think I do.

Mr. WALSH. Are they?

Mr. LYDECKER. Native born?

Mr. WALSH. Yes, sir.

Mr. LYDECKER. That I can't say. I don't know whether Mr. West was born in Canada or not.

Mr. WALSH. Well, if you don't know, do you know whether they are all American citizens?

Mr. LYDECKER. Yes, I do. They are.

Mr. WALSH. That includes members of committees?

Mr. LYDECKER. Yes, sir. Of course I speak of the league in its national headquarters in New York. I can't speak of the possibility of branches—what they may have done.

Mr. WALSH. Now, Col. Lydecker, you have stated that the purpose of sending out this chart and the accompanying circular was to educate and enlighten the people. Directing your attention to the first test, which was the McLemore resolution, is it not your opinion, as a member of the league, that if the McLemore resolution had been set forth in full it would have enlightened the people more than the statement which your league did send out as to the effect of the McLemore resolution?

Mr. LYDECKER. I can not say no to that, because the more detailed and full explanation you give the more the word "enlightenment" becomes precise. But as to the thought, the central thought in the resolution itself, I think the statement stated the thought accurately.

Mr. WALSH. Yes, I understand you contend that; but if you were desiring to educate and enlighten the people upon the records of their representatives in Congress, upon certain particular measures upon which they had voted and upon which some of them, you claimed, had voted wrong, in your opinion would it not have been more enlightening and been of more educational value if you set forth the resolution in full, with whatever deductions the league might seek to make as to its meaning?

Mr. LYDECKER. If that were feasible, it would certainly be a more complete enlightenment of any reader. A book might have been written on the McLemore resolution.

Mr. WALSH. Some books were written by the league upon matters relating to the issues, were they not?

Mr. LYDECKER. I don't think any political issues—I don't think any political issues were the subject of any pamphlets of this league.

Mr. WALSH. Do you consider the McLemore resolution as a political question?

Mr. LYDECKER. Yes.

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Mr. WALSH. Now, with reference to the feasibility, that chart which was used during the examination here yesterday was a large sheet of paper containing tabulations with large headlines across the top. It would have been feasible, in your opinion, Colonel, to have printed the McLemore resolution in full in somewhat smaller type than was used for some of the reading matter upon the chart?

Mr. LYDECKER. It would have been; yes, sir.

Mr. WALSH. Now, of course, I understand and am asking these questions with the full appreciation that you had nothing to do with the preparation of the chart or suggesting any of its contents.

Mr. LYDECKER. I saw the chart. I was president of the league and I can't escape the responsibility for its having gone out.

Mr. WALSH. You saw it before it was sent out?

Mr. LYDECKER. I think I did after it was sent out. I saw it after it was printed.

Mr. WALSH. Now with reference to the Cooper amendment which you read in the record of that State during your examination, it would have been perfectly feasible to have printed that amendment on the chart with whatever deductions your league sought to draw from its effect—as to its effect.

Mr. LYDECKER. Well, I may answer you that it would have been feasible to print the Cooper amendment and each of these bills, or any one of these bills, but it was not feasible to print all the material in making a chart, because that chart had to be a condensed statement, and the purport to be nothing more than a record of the votes upon the particular measures which were so clearly identified that nobody could be deceived as to what it referred to.

Mr. WALSH. But you were seeking to enlighten and educate the people upon political questions by not presenting to them the measures or the questions themselves, but the conclusions as to the effect of certain votes on those questions, as formed by your organization.

Mr. LYDECKER. Well, you say "conclusion." I would say the "contents."

Mr. WALSH. Well, you said it in your chart the effect of this resolution was to deny to American citizens their natural, legal, and constitutional right.

Mr. LYDECKER. You are speaking of the McLemore resolution?

Mr. WALSH. Yes. Now that doesn't refer to the contents of it; it is merely a construction which you placed upon it.

Mr. LYDECKER. It is a description of the contents; yes.

Mr. WALSH. It doesn't refer to the contents, does it?

Mr. LYDECKER. I think so.

Mr. WALSH. It says the effect of this resolution would be to deny to American citizens their legal, natural, and constitutional right to travel upon the high seas.

Mr. LYDECKER. Suppose I said to you that that didn't relate to the contents of that bill; would that be accurate? I can't answer it.

Mr. WALSH. Well, without seeking to quibble——

Mr. LYDECKER (interposing). I am not trying to quibble. I am trying to tell you the truth.

Mr. WALSH. Would you not say that that is merely a construction placed upon that?

Mr. LYDECKER. Yes.

Mr. WALSH. Now, you recall reading the Cooper amendment?

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Mr. LYDECKER. Yes; I do.

Mr. WALSH. And, if that had been printed upon the chart, it would have taken less space than the matter which you did insert, would it not?

Mr. LYDECKER. I think not.

Mr. WALSH. But not much more?

Mr. LYDECKER. Not much more.

Mr. WALSH. How many branches has your organization?

Mr. LYDECKER. I tried to answer that yesterday, and I could not. I will refer, if I may, to this [examining paper].

Mr. WALSH. I think it was brought up and then they didn't pursue it; and I thought if you knew, I would like to get the information.

Mr. LYDECKER. I had a printed statement, which was of a year or two back, and I was unwilling to testify from that.

Mr. WALSH. Do you know in how many States you have branches?

Mr. LYDECKER. That I can't tell you. May I read the statement?

Mr. WALSH. Is that a memorandum of which you are able to say it is accurate?

Mr. LYDECKER. It is handed to me by the secretary as being a correct statement. Personally, I can't vouch for its accuracy, because the knowledge is beyond my power.

Mr. WALSH. You, as president of the organization, do not know how many States you have branches in?

Mr. LYDECKER. Not numerically. I can get that information at any moment by asking for it, and I will give it to you if you ask it.

Mr. WALSH. You have it there?

Mr. LYDECKER. Yes, sir.

Mr. WALSH. That would be the same information that you would get if I asked you to find out how many States you had branches in?

Mr. LYDECKER. I should have to rely entirely upon this.

Mr. WALSH. Then, I will ask you to read the number of States.

Mr. LYDECKER. The number of States?

Mr. WALSH. The States.

Mr. LYDECKER [reading]:

Connecticut, Illinois, Iowa, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Pennsylvania, Wisconsin, California, Colorado, Hawaii, Kansas, New York, South Carolina, Tennessee, Washington, Cuba, and Oklahoma.

That is the statement supplied to me by the executive secretary, and I believe it to be correct.

Mr. WALSH. Now does the organization at New York bear any of the expenses of these branches?

Mr. LYDECKER. No; they contribute money to us.

Mr. WALSH. They contribute money to you, and do they report the money that they expend in their own particular activities?

Mr. LYDECKER. No.

Mr. WALSH. So that if a branch, for instance, in North Dakota, is formed under your by-laws or charter, they appoint officers and embark upon their campaign of education, solicit their own funds?

Mr. LYDECKER. They may raise all the money they want.

Mr. WALSH. And may contribute to your organization at New York?

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Mr. LYDECKER. They are required to contribute just that proportion of their membership fee.

Mr. WALSH. Then are these members of the branch organizations included in the 80,000 or 85,000 that you thought you had?

Mr. LYDECKER. Yes.

Mr. WALSH. And their names are sent to you, to your headquarters in New York?

Mr. LYDECKER. I think so. I think we have the names of all these.

Mr. WALSH. Now how do you determine which States should have branches of the league?

Mr. LYDECKER. I think there is no question or rule for determining. Every patriotic group that desired to join in the work of the league is accepted.

Mr. WALSH. Well, would you say that the States in which there are no branches, that they have no patriotic groups of men there?

Mr. LYDECKER. Would I say that? No; nor I wouldn't say this was the only patriotic organization that existed.

Mr. WALSH. You will admit that all members of your organization are patriotic, but that not all patriotic men are members of your organization?

Mr. LYDECKER. I will gladly say that. I can't say it from knowledge that they are all patriotic, but I hope they are.

Mr. WALSH. Now, Colonel, the congressional campaign for 1918 opened—now, I don't mean the political campaigns of the candidates, but the congressional capaign—of 1918 as conducted by your organization for the purpose of education and enlightenment, opened during the summer of 1918 sometime?

Mr. LYDECKER. Yes.

Mr. WALSH. And at that time the main and perhaps principal object of your organization was to assist in every way in winning the war?

Mr. LYDECKER. Absolutely.

Mr. WALSH. And the chart and other literature which you sent out pertaining to records of Members of Congress contained no question that had been voted upon since May, 1917?

Mr. LYDECKER. The conscription act, I don't know [examining paper]. April 23.

Mr. WALSH. 1917?

Mr. LYDECKER. Yes, sir.

Mr. WALSH. And in a general way you know as president of the league of the support that had been given by Members of Congress to all measures advocated by the President since April 23, 1917, regardless of party lines?

Mr. LYDECKER. I had a very general knowledge of the response of Congress in respect to the war measures requested.

Mr. WALSH. You had a general knowledge; that knowledge was that practically unanimous support had been accorded the Chief Executive?

Mr. LYDECKER. My feeling was that there wasn't a man there that dared to refuse to do that. That was my feeling.

Mr. WALSH. That they were patriotic through fear?

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Mr. LYDECKER. Well, they were Representatives who had a duty to win the war and to carry out the purposes of the President, representing all the various branches of the war machine.

Mr. WALSH. Yes; and as Representatives, of course, supporting the President because they dared not to do otherwise?

Mr. LYDECKER. Well, I do not mean to say that every man was not entitled to absolutely independent thought; but I mean on the general purpose and aim connected with the appropriation—there might be differences of opinion which everybody would respect, of course—but I mean to say that in regard to the general measures passed that the Members of Congress could not refuse to support the war.

Mr. WALSH. No. And because of that they are entitled to no particular credit?

Mr. LYDECKER. I do not say that they are entitled to any credit. I said the record was magnificent, in my opinion, and I have said so publicly and in many ways.

Mr. WALSH. Now, then, Colonel, if this record of the Congress subsequent to April 23, 1917, was magnificent, was it because the Members dared not do otherwise, or whether they were inspired by a desire to do everything to help the President win the war, how did you expect to help win the war by defeating certain Members of Congress whom your orgainzation claimed had voted wrong upon eight measures?

Mr. LYDECKER. Well, I haven't said that our organization attempted to defeat the Members of Congress who had voted wrong on eight measures. I have said that we pursued a campaign of enlightenment without regard to party, and stated the facts in accordance with the way that the congressional committee thought was the proper way.

Mr. WALSH. So the attitude of your organization was that if the people cared to reelect every Member whom your organization said had voted wrong, that the responsibility was theirs?

Mr. LYDECKER. Yes; and they knew the man had the right heart.

Mr. WALSH. And that they knew the man was patriotic?

Mr. LYDECKER. Had the right heart.

Mr. WALSH. And that he was patriotic?

Mr. LYDECKER. Well, you have asked me whether patriotism is a matter of degree. I don't like to characterize a man as unpatriotic just because the word is used, or disloyal. I am trying to be absolutely fair in regard to the mentality of every man in Congress. I know his difficulties—some of them at least.

Mr. WALSH. Now, Colonel, will you assume this case, please, as president of the organization: That a man had voted for the declaration of war, that he had voted for the conscription law, and that he had voted against the measure providing for the money to carry on the war. What percentage of patriotism would you say that man had?

Mr. LYDECKER. I have never been the mathematician of this league, and I have never figured out any percentages of anybody.

Mr. WALSH. Well, what degree of patriotism would you say yourself that that man had?

Mr. LYDECKER. I would try to see if the man had been insane during the latter period; if he had voted for the declaration of war and

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then would not vote for the money to carry it on. I would try to find out. I wouldn't say that he was unpatriotic, but I might say that he had some disease or had met with an accident—fallen out of an automobile.

Mr. WALSH. Well, Colonel, I have the distinction of having been placed, if you will pardon this personal allusion, which is preliminary to my question, of having been placed by your organization upon its roll of honor. I believe that I am the only gentleman upon this committee who has been placed by your league upon that roll.

Mr. LYDECKER. I desire to say that that is not my fault.

Mr. WALSH. And I desire to say that neither am I to blame for it.

Mr. LYDECKER. Why not, sir?

Mr. WALSH. But I also voted, Colonel, against the revenue measure to provide the means for securing money to carry on the war. Now, in your opinion, after having voted right on all the other eight measures in June of 1917 the strain became too great for me, and I had softening of the brain or became diseased in some way or insane—is that your conclusion?

Mr. LYDECKER. That you have softening of the brain?

Mr. WALSH. Or that I became insane after voting right on these eight measures; that I became insane at the time of voting on the revenue bill?

Mr. LYDECKER. I don't think that I have said anything that justifies that question. I know that the matters of taxation are the most serious and difficult matters that any lawyer or any Congressman ever has to handle, and there may be a very, very great variety in regard to the methods of taxation that people will approve and will seek in their wisdom to try to get right; and I haven't heard of your being criticized for seeking to have the taxation concerning the war measures criticized. It may have been in Congress—you may have been criticized, but I haven't heard of it, and the league hasn't said anything about it.

Mr. WALSH. But I understood you to say, Colonel, that if a man had voted for the declaration of war and for the conscription measure, and then voted against the bill to raise the money for carrying on the war that you would make inquiry to see if he had become insane?

Mr. LYDECKER. You didn't ask me about one bill; you asked me—I understood, at least—if a man had voted for the declaration of war and then voted against the means of prosecuting the war. You didn't ask me about voting on any one particular bill. I answered for a man who had voted against the means—I don't understand you to tell me that you voted against all the measures for prosecuting the war.

Mr. WALSH. Well, Colonel——

Mr. LYDECKER (interposing). I am trying to answer your question fairly.

Mr. WALSH. I think I said in June, 1917. My question included voting against the measure in June, 1917, to raise the money to carry on the war.

Mr. LYDECKER. Well, I didn't mean to say if you had voted against one of the bills or one of the measures you would be regarded as insane. I didn't mean to say that. I understood you to say if a

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man had voted for war and then refused to vote for the funds to carry on the war, and that is what I tried to answer.

Mr. WALSH. And that refusing to vote for the funds to carry on the war would include voting against the revenue measures, the appropriation bills, and the bond issues.

Mr. LYDECKER. They would be part of that. These measures continued for a long period.

Mr. WALSH. But if one happened to have voted right on all eight questions and then voted against the first revenue measure in June, 1917, it wouldn't necessarily follow that the man was insane or unpatriotic?

Mr. LYDECKER. No; an emergency requires quick action.

Mr. WALSH. Colonel, how is it your organization didn't pay any attention, if you know, to measures passed after April 23, 1917, and down to and including the summer of 1918, when your congressional campaign opened?

Mr. LYDECKER. I don't know. I wasn't in conference about the activity of the committee. Our work was comparatively slight, and Mr. Orth was a very competent chairman, and what was done was done by him, conferring with me only at times; and I don't know whether it was ever contemplated to issue any knowledge or information about the activities subsequent, but the state of mind of those who were keeping us out of war or were advising concerning the war in a way that we didn't—meaning by "we" the gentlemen that I was associated with—feel was standing up to the dignity of the occasion, with the particular matters which we thought gave an indication of a state of mind which if this war was going to be carried through the year 1919 we felt should not be encouraged.

Mr. WALSH. Well, you say the state of mind of those who were keeping you out of war. You mean the state of mind of the Members of Congress who before we voted on the declaration of war had voted wrong upon these six test votes?

Mr. LYDECKER. Yes; partly so.

Mr. WALSH. And of course all you had to go by in ascertaining the state of mind was the votes that they had cast, as shown by the Congressional Record.

Mr. LYDECKER. I don't know to what extent the committee informed themselves of the speeches and declartions and pronouncements that were made by men who were very frank in stating how they thought and felt.

Mr. WALSH. With your knowledge, did your organization send any men into the district of prospective candidates for Congress prior to the compilation of this chart?

Mr. LYDECKER. Never to my knowledge.

Mr. WALSH. Of course, you don't know what branches of the organization may have done it?

Mr. LYDECKER. Whether they sent men into political districts to campaign?

Mr. WALSH. Yes. You don't know whether they did or not?

Mr. LYDECKER. I don't know. They never did so with my approval.

Mr. WALSH. Was it any part of the league's purpose to combat so-called German propaganda?

Mr. LYDECKER. Yes.

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Mr. WALSH. And you issued literature for that purpose?

Mr. LYDECKER. Yes; we carried on a campaign for the English language, which we thought was a less offensive term than "campaign against the German language." We had nothing against the German language, but we did believe that the people of the United States should be a unit in respect of understanding and reading the English language, and that the German language was one of the languages the use of which should be displaced, if possible, by the substitution of the language that Americans use.

Mr. WALSH. Now, Colonel, of course you, as president of the organization, and prior to your becoming president, as a member of the organization, knew that the President of the United States was very slow in urging Congress to enact legislation looking toward increasing our preparedness?

Mr. LYDECKER. Yes; he had dismissed his Secretary of War, Mr. Garrison, as an evidence of his desire that there should be no measures taken concerning the armament.

Mr. WALSH. And you knew that, as president of the organization—or rather you know now and you knew as a member of the organization—that the President had addressed Congress within 30 or 60 days of his coming before the special session to urge the passage of a declaration of war?

Mr. LYDECKER. Pardon me, I knew that he addressed Congress?

Mr. WALSH. Yes.

Mr. LYDECKER. But you do not say to what effect.

Mr. WALSH. No; I say you knew he had addressed Congress within 60 days of his coming before the special session of the Sixty-fifth Congress to urge the passage of the declaration of war?

Mr. LYDECKER. I think so; yes, sir.

Mr. WALSH. And you knew that he addressed Congress in January of 1917, when he made his famous "Peace without victory" address?

Mr. LYDECKER. Yes; I can't recall the dates, but I know all those events. I knew them at the time. I followed them very closely. I had the honor to differ with the President.

Mr. WALSH. Now, has the league in any of its literature since April 6, 1917, criticized the attitude of the President upon preparedness or upon his conduct of the negotiations concerning the outrages committed upon American citizens by Germany?

Mr. LYDECKER. I am quite sure that there have been matters of publicity given out which might be called criticism, comment, on the President or the presidential utterances, always with great respect for the Commander in Chief and for his very long and persistent efforts to try to negotiate with the Teutonic powers, but indicating differences of opinion. I recall the publication of a statement that I had made that when the negotiations—I think it was with Prince Maximillian—were apparently going to be undertaken along diplomatic lines or the question of surrender——

Mr. WALSH (interposing). That has nothing to do with the question of preparedness or with the outrages committed by Germany upon Americans.

Mr. LYDECKER. I understood you to say negotiations had by the President concerning the outrages.

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Mr. WALSH. Concerning the outrages committed upon American citizens by Germany?

Mr. LYDECKER. Well, you exclude from that the entire subject of the successful conclusion of the war.

Mr. WALSH. Yes.

Mr. LYDECKER. My best recollection—I can't recall any specific publication, but my recollection of the position of the President in regard to preparedness and such statements, I think of the Secretary of War, Mr. Baker, were the subject of adverse comment by the league. I can't recall just what they were. I know they were contrary to our urgency.

Mr. WALSH. Within 60 days of the President's coming before the opening of the special session of the Sixty-fourth Congress, and when speaking to the Congress upon the subject of armed neutrality, he said: "I am not now contemplating war, nor any steps that need lead to war." Has your organization circulated any literature or data, or had any of its speakers make speeches subsequent to April 6, 1917, criticising or commenting upon that statement of the President?

Mr. LYDECKER. I am unable to say. I do not know of any particular comment. The attitude was an attitude that was not in accordance with the general tenor of our thought. It was not any question with us whether he contemplated. He said he did not contemplate anything of that kind.

Mr. WALSH. He says, "I am not now contemplating."

Mr. LYDECKER. "I am not now." Nobody disputed the truth of that assertion. The wisdom of it we all considered.

Mr. WALSH. Now, Colonel, you and your associates were anxious that Congress should declare war shortly after the sinking of the *Lusitania*, were you not?

Mr. LYDECKER. I never knew that that was urged by anyone.

Mr. WALSH. Has your organization, with your knowledge, or any of its branches, with your knowledge, circulated literature containing in substance this language?

War should have been declared within 30 days after the sinking of the *Lusitania* by a German submarine.

Mr. LYDECKER. I remember having read that as an utterance of a number of people; I do not recall by whom, and I do not think that that is in any way any official utterance of the National Security League. I am sure it is not.

Mr. WALSH. You knew that Mr. Orth, the chairman of the congressional committee, sent out questionnaire blanks to members of Congress?

Mr. LYDECKER. He told me that he was doing so.

Mr. WALSH. Did he consult you with reference to the form of that questionnaire?

Mr. LYDECKER. I think he did.

Mr. WALSH. Did you know before it was sent out what it contained, the questions it contained?

Mr. LYDECKER. Allow me to see it.

Mr. WALSH. Certainly, and while you are looking I will ask you if that is the form of blank that was sent out?

Mr. LYDECKER. It is. My recollection is that I saw this before it was sent out, and that I approved it as to its form.

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Mr. WALSH. Did you ever see any letters that Mr. Orth sent out accompanying this?

Mr. LYDECKER. I do not recall that I did.

Mr. WALSH. What is the purpose of this statement upon the questionnaire?

If replies are not received within a period equal to mail time plus 10 days it will be regarded as a declination to respond, in which case the committee will send copies of the questionnaire to friends and opponents of the candidate, for the purpose of securing the best available data.

What was the purpose of putting that clause on there?

Mr. LYDECKER. I do not know. My attention was called to the questions there particularly. I do not recall that particular thing, but I believe that the effort to have a war Congress in 1919 elected was to do a patriotic service to the country by stating all the things we could about the Congress that had been engaged in carrying matters on before. It might have brought forth that all of this that you have stated was in every way to the credit of all those who had been voting for the war measures subsequent to the declaration of the war; I do not know. It was the desire absolutely to be absolutely fair. That is all I know.

Mr. WALSH. Well, you ask here in question 8:

What was the candidate's viewpoint about the United States entering the war prior to the declaration of war, April 5, 1917?

Mr. LYDECKER. My recollection is that the desire to be fair was to give everybody a chance to state everything that he wished to state so it could be given out as the record of the man.

Mr. WALSH. And how did you give it out?

Mr. LYDECKER. How was it given out?

Mr. WALSH. Yes.

Mr. LYDECKER. I do not know whether those answers were given out or not. I am not entirely familiar with all the work that the committee did. Mr. Orth is here and would be very glad to explain fully.

Mr. WALSH. Yes; we expect to ask Mr. Orth some questions, possibly not before the recess, Colonel. Now, does your organization send out what is known as boiler-plate matter?

Mr. LYDECKER. Yes; it has done so.

Mr. WALSH. To newspapers and periodicals?

Mr. LYDECKER. Yes; that boiler-plate matter, I believe, is distributed through the Western Newspaper Union that I was asked about yesterday.

Mr. WALSH. Do you have any men writing articles for which this boiler plate is later used, or to be spread amongst the newspapers?

Mr. LYDECKER. We have a publicity director, and we have a number of volunteers who have written matters connected with our work.

Mr. WALSH. Do you furnish any newspapers with material for editorials or editorial comment?

Mr. LYDECKER. I presume that the editorial comment is expected to be reached by dissemination of the boiler plate. It is all given to those papers only, I believe, that ask for it. There is nothing paid or received.

Mr. WALSH. That is under the direction of Dr. McElroy?

Mr. LYDECKER. That is under the direction of Mr. Harvey.

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Mr. WALSH. George Harvey?

Mr. LYDECKER. No, not George; E. T.

Mr. WALSH. By the way, is Mr. George Harvey a member of your organization, do you know?

Mr. LYDECKER. I never heard that he was. I do not think he is.

Mr. WALSH. Now, Colonel, I received yesterday a copy of your bulletin No. 6, which contains suggestions for reorganization of the league for active after war work. Have these suggestions been acted upon by your committee or by the members of the league?

Mr. LYDECKER. I think the committee have approved those matters, as stated in that bulletin.

Mr. WALSH. And under your by-laws, in order to reorganize the work of the league and carry out the purposes suggested, it will be necessary for you to have a meeting of the league to authorize that, will it not, in your opinion?

Mr. LYDECKER. My recollection is that those matters have all been reported as tentative activities of the league for the period succeeding the war, or the immediate present. Our activities necessarily have changed, as they did when the war broke out, and as they did when the war ended, and this was a turning point, and those were suggestions that the executive committee approved.

Mr. WALSH. I see that your congressional committee have a number of matters which they expect to devote their attention to, among them the establishment of a national budget system. Have you conferred with anybody, any committeemen or official of the league, with reference to that?

Mr. LYDECKER. If I may express it in this way, the national budget proposition was one of the earliest aims and purposes of the men who formed the league or were in the league at the beginning, and these tentative suggestions for the congressional committee were supposed to be in no way political but entirely matters of public interest and public benefit, and I think that the activity concerning them is a matter that was left to be determined after the suggestions had been approved.

Mr. WALSH. And is that so with reference to abolishing the rule of seniority in determining the chairmanships and memberships of committees?

Mr. LYDECKER. It is so as to every one of those eight matters.

Mr. WALSH. What do you know with reference to C, "A constitutional amendment which will make it impossible for defeated candidates for Congress to sit in that body"? What does that mean?

Mr. LYDECKER. I only know that I have been told that the continuing in Congress of men who have not been reelected is contrary to the method, for instance, in Great Britain, where, upon an election, the members of Parliament cease to function, and some men think that that is an improvement. I have never expressed an opinion about it, and I do not know. I have never looked into it. I have heard men say it is a very unwise thing to advocate that suggestion.

Mr. WALSH. It does not mean, as I understand it, Colonel, that after a Member of Congress has been defeated and his term has expired, that when the next election comes along he could not be a candidate for reelection, but it seems that after an election has been

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...ld and he has been defeated, that he can not then sit in the ...ngress?

Mr. LYDECKER. That is it; that Congress shall end when the ...tion has been held, as to both the defeated and elected; it shall ...d, except that those who are in the Congress, if any congressional ...ness is to be done, would be summoned by the President, and ...y would take up the work. In other words, the voice of the ...ple respecting any election having been stated regarding the ...cy or principle or anything else, that the new Congress would ...e the field to carry it out.

Mr. WALSH. Do you know who is responsible for that suggestion?

Mr. LYDECKER. You mean in this particular moment, on that ...aper?

Mr. WALSH. I say, do you know who is responsible for that suggestion as being one of the matters to which the congressional committee will devote its attention?

Mr. LYDECKER. I think Mr. Orth is responsible for that.

Mr. WALSH. And Mr. Orth has lived in England, has he not?

Mr. LYDECKER. Not that I know of.

Mr. WALSH. But your idea was——

Mr. LYDECKER. I only explained to you, in answer to your question. You asked me what it meant, and I explained it to you. I did not refer to Mr. Orth's living in England or anywhere else.

Mr. WALSH. No; I know you did not. You did not insinuate that at all. That was a question from my own mind. But the idea was, as you understood it, to make our congressional practice conform more nearly to that of Parliament, so that when a Congress should have been defeated the terms of the Members defeated should expire, and the Members who had been elected in their places should then come into power, instead of waiting three months, as is now the practice, before a new Congress convenes after it has been elected?

Mr. LYDECKER. That is my understanding of this suggestion.

Mr. WALSH. Now, the abolition of inactive committees, the reform of franking abuses, and the reform in the extension of remarks, those suggestions met with your approval?

Mr. LYDECKER. No; I have not passed judgment on those suggestions.

Mr. WALSH. The sitting of members of the Cabinet in Congress?

Mr. LYDECKER. I have an opinion about that. I have thought for many years that it would be a very desirable thing.

Mr. WALSH. Colonel, I have already taken more time than I ought, I imagine. You have several new committees proposed, on world peace, organized education, demobilized army activities, naturalization and citizenship, Constitution and national integrity. Do you know what activities that committee would have?

Mr. LYDECKER. Which one?

Mr. WALSH. Constitution and national integrity.

Mr. LYDECKER. Yes. We are endeavoring by that committee to establish a respect and regard for the Constitution and for the courts and for your own branch of the legislature and for all organized governments, and we are believing that it is wise to have the people believe that the Constitution is a great charter of liberty and should be respected and observed, and that anything in the nature of mass rule, whereby the provisions of the Constitution are to be overturned

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by hasty judgments, through majority shouting, are to be so di
couraged by educating the people to believing that conservative, self
respecting government is the wise one, and the preserving of the integ
rity of the Nation by avoiding having it torn to pieces and loo
methods by orators of the Bolsheviki or other types.

I would like to add, if I may, that our effort was to have the cel
bration in June next of the ratification of the Constitution by th
States of the Union, and the purpose of the league was to arou
public interest in the Constitution against our having something i
the nature of a nation-wide celebration, in which men who believe
in the principles could expound them to the people, and we hav
printed several very interesting and very valuable pamphlets on thi
subject, which I would be very glad to have you read.

Mr. WALSH. Now, Colonel, in all the activities of your Securit
League touching the election of Members of Congress, do you kno
of any cases where men sent out by you to make patriotic speeches o
Americanization, or upon preparedness, or upon supporting libert
loans, Red Cross contributions, or the conduct of the war by th
Chief Executive, or upon other patriotic subjects, where any speake
attacked a Member of Congress seeking reelection, or espoused th
cause of a candidate seeking to defeat a sitting Member, basing hi
attack upon statements contained in literature sent out by your organ
ization, namely, the chart and the roll of honor list, and such othe
data as you have had prepared?

Mr. LYDECKER. Answering your question, without admitting that
any man was sent out for all those reasons that you stated—thus, fo
instance, you said, sent out to criticize the attitude of the President.

Mr. WALSH. No, sir; I did not say that.

Mr. LYDECKER. You included that with the Red Cross and othe
things.

Mr. WALSH. I think not.

Mr. LYDECKER. I will ask, then, that the question be read, because I
do not wish to answer that question, if I sent anybody out to do such
and such a thing, or so and so. I do not want to be caught that way.

Mr. WALSH. I do not want you to answer the question if that is
contained in it. I will ask the stenographer to read the question in
order that I may revise it if it is in that form?

(The stenographer read the question as follows:)

Mr. WALSH. Now, Colonel, in all the activities of your Security League
touching the election of Members of Congress, do you know of any cases where
men sent out by you to make patriotic speeches on Americanization, or upon
preparedness, or upon supporting liberty loans, Red Cross contributions, or the
conduct of the war by the Chief Executive—

Mr. LYDECKER. That is enough. You ask me if I sent out a man to
discuss the conduct of the war by the Chief Executive?

Mr. WALSH. To support the conduct of the war the question read.

Mr. LYDECKER. I will answer the question. In no case that I have
ever known of, or heard of, and if any auditor or speaker of the
league has said anything for or against, or in any way participating
in any campaign section or political section, he has done so without
my knowledge, or without the consent or approval of the executive
committee, or any part of the National Security League.

Mr. WALSH. Now, Colonel, you wrote a letter to the Speaker of the
House, a copy of which appears in this Bulletin No. 6, in which you

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called his attention to the fact that Mr. Freer voted against the declaration of war, against the Kahn amendment, and for the McLemore and Cooper amendments which it is now admitted voiced the essence of pacifism, if nothing worse. What is the definition of the word "pacifism"?

Mr. LYDECKER. Opposition to the war and the winning the war.

Mr. WALSH. Opposition to the war, and opposition to winning the war. Then, if a man voted against the McLemore resolution when we were not at war, when war had not been proposed, he would not be a pacifist, under your definition?

Mr. LYDECKER. I do not think you should separate my four statements in that letter and ask me to answer. When I say these embody that, I should be compelled to say that one embodied it. The McLemore resolution embodied the essence of perhaps worse than pacifism, a disregard of the right of citizenship of the United States.

Mr. WALSH. Well, you have got eight tests on your chart?

Mr. LYDECKER. I spoke of four there.

Mr. WALSH. I understand, but I am asking another question now. You have got eight tests upon your chart, and six of them are before the war. Now, then, eliminating the declaration of war and the conscription act from consideration, do you call all the men, do you include all the men who voted wrong on those six other tests before we entered the war, as pacifists?

Mr. LYDECKER. Do I do so now, do you mean?

Mr. WALSH. Would you now?

Mr. LYDECKER. I do not know that I ever have, but if you ask me now to say what I think, I should say they all indicated the essence of pacifism.

Mr. WALSH. Colonel, can you understand the attitude or the state of mind of a man who voted against war, who voted against tabling the McLemore resolution, who may have voted for the Cooper amendment, and who may have voted against the Kahn amendment for conscription, but voted for the bill, and I assume that a man with that record you would consider a pacifist?

Mr. LYDECKER. That is a little involved. May I have that read again?

(The stenographer read the pending question as above reported.)

Mr. LYDECKER. A man who voted for the Cooper amendment alone I should consider was a pacifist.

Mr. WALSH. Well, now, then, we have got the Cooper amendment.

Mr. LYDECKER. Well, I am trying to answer that question, which embodied them all, and I would say that if he were a pacifist for one, I might fairly say as to all he would not be charged.

Mr. WALSH. Would you say that if a man voted against tabling the McLemore resolution alone that he was a pacifist?

Mr. LYDECKER. No.

Mr. WALSH. It would require something more than that action alone?

Mr. LYDECKER. I would use some other adjective to describe the mentality of that man.

Mr. WALSH. Would you say that if any of these Members of Congress who voted wrong upon those eight tests had subsequently had members of their family, their sons, voluntarily enter the service and serve in the war in Europe, not in America, that that would

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change your opinion as to whether the father of those sons was a pacifist or not?

Mr. LYDECKER. I do not think I can claim anything as to my mental qualities because my son went over in the Rainbow Division, or any other Member of Congress.

Mr. WALSH. You have never been designated by this league as a pacifist, have you?

Mr. LYDECKER. I do not know.

Mr. WALSH. Well, they have never gotten out any chart on you, Colonel?

Mr. LYDECKER. They would not make anything much by it.

Mr. WALSH. I imagne they would not, nor on any of the other members of your organization, or your contributors, but would you say that Mr. Reavis, whose explanation you have heard with reference to the McLemore resolution, and who your organization says voted wrong on some of the other measures, whose two boys were in the service, one of whom only returned from Europe yesterday, with a record which you have disclosed and circulated in his district, is a pacifist?

Mr. LYDECKER. I am proud of Mr. Reavis's sons, but I can not state anything else than that the vote of Mr. Reavis on the Cooper amendment was indicative of his attitude regarding American rights against the submarine menace, because although the private owner theoretically could arm, he could not get guns without the authority of the Government, which, by the act of the Government was authorized to give to merchant vessels, and, in the second place, if he did not arm he was perfectly helpless against the submarines, and the result was that anyone who urged such an amendment was passively acquiescing in the submarine warfare.

Mr. WALSH. What is that you are reading?

Mr. LYDECKER. I am reading a little memorandum I made last night concerning answers to the questions that I had made about my interpretation of the Cooper amendment, and you ask me now whether I regard Mr. Reavis as a pacifist, and I am answering you that a man who voted for that, his vote was indicative of this, because everything upon which the French armies depended was contraband, according to the German lists, thus constituting in fact the most complete embargo and actual prohibition of the exporting of materials vitally necessary for the winning of the war, and the enactment of such an amendment would have been the strangling of France and the collapse of the allies. I regard a man who would take that position as indicating by his attitude that he was not a warrior or supporter of the war, but was on the other side.

Mr. WALSH. We were not in war then, were we?

Mr. LYDECKER. No; but it was pending.

Mr. WALSH. You would make him support the war before we were in it?

Mr. LYDECKER. A pacifist does not have to be a man who defers solely to his own country.

Mr. WALSH. You think we should have been supporting the war in Europe before we entered the war?

Mr. LYDECKER. I do.

Mr. WALSH. Now, then, do you not know that, as a matter of international law, the arming by our Government of merchant ships,

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ith our proclamation of neutrality still in effect, and with our country at peace, and with the ships which were armed loaded with ammunition and consigned for a belligerent, would have been an act of war?

Mr. LYDECKER. It seemed pretty near coming to that, according to my interpretation of international law, as you have stated it; it goes very close to that; yes, sir.

Mr. WALSH. As a lawyer, Colonel, and as a matter of international law, is it not, in fact, an act of war?

Mr. LYDECKER. Germany had made war upon the United States at that time, and that was a defense measure which international law might not have regarded as a declaration of war, but might have regarded as the acceptance of the challenge thrown down, and we might have been in war thereby.

Mr. WALSH. Will you tell me how many employees your organization has, to your knowledge, that are not in New York City, where your headquarters are?

Mr. LYDECKER. None that I know of.

Mr. WALSH. How many did they have during the congressional campaign that your organization carried on?

Mr. LYDECKER. None that I know of.

Mr. WALSH. Who would know about that?

Mr. LYDECKER. I do not know. I pay the bills.

Mr. WALSH. Who employs them?

Mr. LYDECKER. Well, they are employed by the executive secretary, Mr. West.

Mr. WALSH. Who are the other members of the committee on Congress?

Mr. LYDECKER. You will have to help me there—Mr. Orth, Mr. West, Mr.—this is recent.

Mr. WALSH. Do you not know, Colonel?

Mr. LYDECKER. Well, I will not answer without referring to a——

Mr. WALSH (interposing). I mean, you do not know without refreshing your recollection?

Mr. LYDECKER. Yes; I ought to know, but I can not give them at this moment, because these gentlemen in the various committees are coming to me constantly.

Mr. WALSH. Will you not refresh your recollection?

Mr. LYDECKER. I can give it to you in a moment. Mr. Orth can write them and I can tell. These gentlemen about the headquarters are there and in conference when they wish to be.

Mr. WALSH. Do you know how many there are on that committee?

Mr. LYDECKER. The congressional committee consisted of Mr. Charles V. Orth, Mr. L. B. Stillwell, W. E. Remington, and Mr. H. L. West, and I was ex officio a member of all committees of the league.

Mr. WALSH. You had general supervision of the work of these committees as president—that is to say, if they had decided on something you could veto it, I assume?

Mr. LYDECKER. I did not say a question ever came up that I had the right to veto; no; I could not veto the act of the committee. I could disapprove, and state my disapproval to the executive committee, but I could not veto an act of any committee, and I would not do so.

Mr. WALSH. Who is Claude Van Tyne?

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Mr. LYDECKER. Professor of the University of Michigan.

Mr. WALSH. Is he an author of some note?

Mr. LYDECKER. Yes.

Mr. WALSH. I think I have concluded.

Mr. CARAWAY. Col. Lydecker, both of us have practiced law a bit and so you will understand that if any question seems personal it is not intended to be so. Who is Mr. Clark who was one time connected with your organization?

Mr. LYDECKER. A. D. Clark?

Mr. CARAWAY. I do not know his initials.

Mr. LYDECKER. We had as treasurer of the organization Mr. Clark for several years.

Mr. CARAWAY. Who is he; what is his occupation?

Mr. LYDECKER. I only know Mr. Clark from having met him at the meeting of the executive committee. I do not know his business nor do I know his office address. I was told he was a well-known man, and he is a gentleman. In all my interviews and intercourse with him I have found him a very patriotic man. I do not know more than that.

Mr. CARAWAY. Is he connected with your organization now?

Mr. LYDECKER. No, sir; I think he is not.

Mr. CARAWAY. Why not?

Mr. LYDECKER. I do not know why not. He wrote me that he was going West or going away from the city, and he sent in his resignation, and Mr. A. J. Hemphill was elected as the treasurer.

Mr. CARAWAY. Who is Mr. Abbott?

Mr. LYDECER. Lawrence F. Abbott is the son of Lyman Abbott the eminent cleryman, editor and author.

Mr. CARAWAY. What is his connection with your league?

Mr. LYDECKER. He is the secretary.

Mr. CARAWAY. Was it any part of his duty to go around personally and interview the Members of Congress with reference to their position on any public question?

Mr. LYDECKER. No.

Mr. CARAWAY. Do you know whether he did that or not?

Mr. LYDECKER. I never heard of such a thing.

Mr. CARAWAY. If he did, he did it without any authority from the league?

Mr. LYDECKER. I think so. I have no way of judging what authority he could have got, and I know nothing of it.

Mr. CARAWAY. Did you have anybody connected with your league whose duty it was to interview personally Members of Congress with reference to their views on any pending public question?

Mr. LYDECKER. No person was ever employed, if that is what you mean.

Mr. CARAWAY. I do not know whether he was employed or not. Was it his duty, or did the league have anybody whose duty it was to interview Members of Congress, whether it was a voluntary duty, or whether he was employed for that purpose?

Mr. LYDECKER. I believe that the views of Members of Congress were asked on the subject of universal military training, and whether it was the duty of any man, I would say I do not know. Whether it was his pleasure to do it, I would say I judge it had been done.

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Mr. CARAWAY. Personal visits to Members of Congress for that purpose?

Mr. LYDECKER. That I have no knowledge of, what the method of approach was. I thought the method of approach was by letter. I know of no visits.

Mr. CARAWAY. Whose duty was it to do that?

Mr. LYDECKER. To do what?

Mr. CARAWAY. To ascertain the views of Members of Congress with reference to universal military service?

Mr. LYDECKER. Nobody had that duty imposed upon him.

Mr. CARAWAY. I thought you said somebody did?

Mr. LYDECKER. I said I believed somebody did it. I understood that Mr. Lloyd Taylor had actively, I think, presented a petition to Congress signed by several million, I think—I do not know how many; I never saw it.

Mr. CARAWAY. Who is Mr. Gross, of Chicago? Is he connected with your league at all?

Mr. LYDECKER. I do not know him; I do not know the name. G-r-o-s-s?

Mr. CARAWAY. Yes, sir.

Mr. LYDECKER. I do not think I ever heard of him.

Mr. CARAWAY. Coming back to Mr. Gross, if he is acting for your league in any capacity, he is doing it without your knowledge?

Mr. LYDECKER. That is true.

Mr. CARAWAY. And of course without your consent?

Mr. LYDECKER. Yes.

Mr. CARAWAY. Who is Mr. John Graham Brooks?

Mr. LYDECKER. I do not know him.

Mr. CARAWAY. You do not know that he is an official of the Carnegie Corporation?

Mr. LYDECKER. No.

Mr. CARAWAY. Never heard of him?

Mr. LYDECKER. I may have heard of him. I have heard of so many men. I never had any business with him, and I do not know him.

Mr. CARAWAY. Never had any agreement with the corporation with reference to expenditure of any funds; I mean the Carnegie Corporation?

Mr. LYDECKER. Not to my knowledge.

Mr. CARAWAY. Well, could it have been done without your knowledge?

Mr. LYDECKER. Yes.

Mr. CARAWAY. Well, who would have had the right to do it without your knowledge, binding the league to the expenditure of the league's funds?

Mr. LYDECKER. Mr. S. Stanwood Menken was the president of the league at the time that the donation by the Carnegie Corporation was assured.

Mr. CARAWAY. Do you know whether or not there was any condition attached to the gift by the Carnegie Corporation of the $150,000 to the National Security League?

Mr. LYDECKER. None other than the letter that I read yesterday.

Mr. CARAWAY. That is all you know?

Mr. LYDECKER. That is all I know.

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Mr. CARAWAY. If there is any other, you are not a party to it?

Mr. LYDECKER. No, sir; I was not a party to it.

Mr. CARAWAY. You spoke yesterday of conducting some kind of a night school or primary school to educate orators and speakers who should go out and teach patriotism to the people. I believe it was designated yesterday as a primary school. What branches are embraced in the curriculm of this school?

Mr. LYDECKER. I do not recall.

Mr. CARAWAY. Don't you know what your own school teaches?

Mr. LYDECKER. I do not recall the statement of a primary school. I indicated that a class was held at the Association of the Bar in the city of New York, under the direction of Mr. Charles A. Bill, who is the director of the Flying Squadron, where he assembles these gentlemen and women, who speak throughout the city, particularly on the east side, and where addresses are given by way of instruction to these speakers by distinguished men.

Mr. CARAWAY. On what subjects?

Mr. LYDECKER. On the subject of American citizenship, its obligations and duties.

Mr. CARAWAY. Did you not say yesterday upon the question of patriotism?

Mr. LYDECKER. If I did, I did not use the word incorrectly, because patriotism includes the subject of citizenship.

Mr. CARAWAY. Is it possible that your league employs people that do not understand the duty of a patriot to his Government, and have to be instructed in the headquarters before they are competent to go out and spread the light?

Mr. LYDECKER. These men are employed only in the sense that they are intelligent volunteers who are accepted and who are guided in the best ways to teach citizenship, and are all of them capable of receiving some help in regard to the way to reach the masses.

Mr. CARAWAY. You did not intend to say, then, if you did say, that they were instructed as to the duties of patriotism?

Mr. LYDECKER. I do not think I said that.

Mr. CARAWAY. I say you did not intend to, if you did say that, did you?

Mr. LYDECKER. Well, I would not exclude the duties of patriotism. If I said that, I would stand by it, but I would supplement it now.

Mr. CARAWAY. How long do you keep them in training before they are permitted to go out to speak and preach patriotism to the East Side?

Mr. LYDECKER. I think there is no question of limit, but they attend these lectures voluntarily, and some of them are quite competent lawyers and men of ability, and during the entire period of the war it was the spirit of the man coming out of his mouth rather than the method.

Mr. CARAWAY. Who prescribed the course?

Mr. LYDECKER. You mistake me in speaking of this as a school and a course. It is a series of addresses that are made and they are arranged for by Mr. Bill, who secured the services of men like Mr. Beck and others to speak to them.

Mr. CARAWAY. Do these people who go out and constitute your flying squadron that you speak of get any pay for their services?

Mr. LYDECKER. You mean any of these flying squadron?

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Mr. CARAWAY. Yes, sir.

Mr. LYDECKER. No; not to my knowledge.

Mr. CARAWAY. No man, then, who has gone out representing the National Security League, in making addresses throughout the cities, receive any pay from the league for his services?

Mr. LYDECKER. There is one man who has spoken in various places and who has been paid for his time and expense named Cashman, who is called our field secretary.

Mr. CARAWAY. How much does he get for his services?

Mr. LYDECKER. Well, he is not in the—he has resigned, and he has received $75 a week and his traveling expenses.

Mr. CARAWAY. Do the others that go out constituting the flying squadron get pay?

Mr. LYDECKER. He is not a part of the flying squadron.

Mr. CARAWAY. All right. Do the members of your flying squadron get their expenses paid?

Mr. LYDECKER. I am not aware that they have any expenses or that I have had occasion to pay the expenses of speakers of the flying squadron.

Mr. CARAWAY. If they are paid, you do not recall it at this time?

Mr. LYDECKER. If they had expenses incident to their going out to speak to munition factories or to places adjacent to New York their expenses would be gladly paid.

Mr. CARAWAY. When one sets up himself as a speaker and the giver out of information he ought to be very careful that he does not mislead those who hear him, ought he not?

Mr. LYDECKER. That is perfectly true.

Mr. CARAWAY. You are an attorney—I believe you say—of forty-odd years' practice; is not that so?

Mr. LYDECKER. I said so.

Mr. CARAWAY. Well, can Congress deprive any citizen of his constitutional right?

Mr. LYDECKER. If it has passed an act that I can not express my opinions about patriotism, without being called a political camouflager, I feel that I am somewhat restricted. I do not know why Congress can not pass acts that would restrain the rights of citizenship.

Mr. CARAWAY. I did not say anything about the rights of citizenship. I asked you if Congress can deprive a citizen of his constitutional right?

Mr. LYDECKER. Not as long as the Supreme Court sits.

Mr. CARAWAY. Well, the Supreme Court is here. You know whether it can or not?

Mr. LYDECKER. You know the old story of the man who was advised by his lawyer that they could not put him in the stocks, and there he sat.

Mr. CARAWAY. Yes; but his lawyer might have been a poor lawyer, like some others; but I am not asking you about that. I am asking you about the right of Congress to deprive a citizen of his constitutional right.

Mr. LYDECKER. Theoretically, Congress can not; practically, Congress may.

Mr. CARAWAY. In what way?

Mr. LYDECKER. By passing an unconstitutional act.

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Mr. CARAWAY. It can deprive a citizen of his constitutional right by passing an unconstitutional act?

Mr. LYDECKER. Yes; and then waiting until he gets a decision that reverses the act of Congress. That is my experience as a lawyer. I do not know whether it is correct or not.

Mr. CARAWAY. I should be doubtful about it. You say, in setting out the McLemore resolution:

This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights.

Now, was there a design in that to try to make the people believe that Congress was trying to deprive citizens of their constitutional rights?

Mr. LYDECKER. I think that was the intent.

Mr. CARAWAY. Well, was that the intent of this publication, to make the people believe that Congress was trying to deprive a citizen of his constitutional rights?

Mr. LYDECKER. Well, I do not think it said that Congress was. I think it said that a Member of Congress had offered a resolution, and that a vote took place on the act, and that this was the record of the Members of Congress concerning that act. It was not an act of Congress—it was an act of the individuals who might compose Congress.

Mr. CARAWAY. You think this resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas. Now, I asked you, and that was the only question I asked you about that, was it the intention of this league in sending out that statement to try to convince the people that Congress was trying to deprive citizens of a constitutional right?

Mr. LYDECKER. No; it did not say so. It said that Mr. McLemore said so.

Mr. CARAWAY. I did not ask you that. I said was it the intention of this league in sending it out to make people believe that Congress was trying to deprive them of their natural and constitutional rights?

Mr. LYDECKER. I have answered you; no. It was not stated as an act of Congress; it was stated as a motion of Mr. McLemore.

Mr. CARAWAY. It is not stated that way. You are just in error about that.

Mr. LYDECKER. May I read what it says?

Mr. CARAWAY. Yes, sir; I shall be glad to have you read it once.

Mr. LYDECKER. Yes; I would like to read it in the record.

McLemore resolution; March 7, 1916; This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas.

It was not the intention to say that Congress was doing anything.

Mr. CARAWAY. Well, I ask you, then, if, in your judgment, that statement was calculated to lead the ordinary American citizen to think that the resolution was voted upon by Congress, and that those who voted for it were seeking to deprive him of a constitutional right?

Mr. LYDECKER. Yes; I think that was the intent.

Mr. CARAWAY. You think that is the way to educate people, that Congress could deprive them of a constitutional right?

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Mr. LYDECKER. I think that is the way to educate the people concerning the mental attitude of their Representatives in Congress.

Mr. CARAWAY. If I recall, in one statement you made with reference to the gentleman whose opinions the congressional committee took with reference to the motion to recommit the naval appropriation bill, that former Secretary of the Navy Von Meyer was talked with by the committee and had made an eloquent plea. Is that so?

Mr. LYDECKER. I do not recall saying that he made an eloquent plea.

Mr. CARAWAY. You do not recall saying that?

Mr. LYDECKER. No.

Mr. CARAWAY. Did you hear him make a speech or give any opinion with reference to this naval appropriation bill?

Mr. LYDECKER. I can not recall hearing him speak on that particular thing, but I have heard him speak in Washington, I have heard him speak at meetings of our executive committee upon the general subject, and I can not recall that I heard him speak upon that particular measure at any time.

Mr. CARAWAY. Did you know that this naval appropriation bill carried a larger program than ever was recommended by Mr. Von Meyer when he was Secretary of the Navy?

Mr. LYDECKER. I did.

Mr. CARAWAY. He did not have any vision, then, until he got out of office, did he?

Mr. LYDECKER. I do not know whether his vision was to have an extraordinarily large or impossible expenditure at any time.

Mr. CARAWAY. None of these were impossible expenditures, were they?

Mr. LYDECKER. I recognize what the chairman says—that we can not do everything in a day, but we have to make a beginning, and we have to go forward.

Mr. CARAWAY. I thought you said that a man's vote indicated his vision or lack of vision?

Mr. LYDECKER. Yes.

Mr. CARAWAY. Would not that same thing be true with reference to a Secretary's recommendations?

Mr. LYDECKER. Yes; the same is true with Mr. Roosevelt's position when he was in the same place or when he was President of the United States.

Mr. CARAWAY. With reference to the Army, Mr. Stimpson's vision came to him after he ceased to be Secretary of War, did it not?

Mr. LYDECKER. I judge his vision came each day.

Mr. CARAWAY. Well, you are talking now of his mental attitude or his power to see.

Mr. LYDECKER. I am talking about his capacity to judge. I think that each day the situation changes, and a man must see and have vision from day to day as the circumstances change.

Mr. CARAWAY. It never struck you as at all peculiar, however, that either of these gentlemen had a vision until after they got out of office?

Mr. LYDECKER. Oh, yes; it has struck me, and I have frequently commented upon it.

Mr. CARAWAY. While a man has been so totally void of vision when he had an opportunity and responsibility, why should you attach so

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much importance to a vision that comes when he has neither an opportunity nor the responsibility? If he has been wrong all the time when he had the opportunity, why should you say he is right when the opportunity and the power are gone?

Mr. LYDECKER. If he thinks he is right, he may be right. The best speeches have been made after dinner, when going home in a cab.

Mr. CARAWAY. And these visions possibly came for the same reason.

Mr. LYDECKER. They may.

Mr. CARAWAY. I was struck very forcibly by a statement that you made yesterday that the character of the senatorial chart was made because certain Members of the Senate complained of the fact that their attitude toward the McLemore or the Gore resolution, which was its companion piece in the Senate, was not properly set forth in your chart. Did you say that?

Mr. LYDECKER. Yes.

Mr. CARAWAY. And that that was the reason you amended the senatorial chart to say that certain Senators made explanations, or so qualified their position that it could not be properly indicated by the chart?

Mr. LYDECKER. I said that I understood that Mr. Orth had heard I do not know that I said the Senators had complained, or whether he had heard that they had complained, but I understand that Mr. Orth made that Senate chart subsequently, and the rule of the Senate is that Members of the Senate, having cast their vote, rise in their places and explain their vote, and that the record itself contained it, but the House of Representatives has no such method, and if Members had stated, as Mr. Reavis stated, prior to the vote, concerning his ideas, it had not been brought to their attention, whereas in the Senate, in reading the vote the observations of the Senators were appended, and were clearly seen and known, and that fact had led Mr. Orth to put that statement on there, which he would have put on the others if there had been anything of that sort within his knowledge concerning these congressional votes.

Mr. CARAWAY. Do you think you said anything like that yesterday?

Mr. LYDECKER. I did not say anything like that yesterday.

Mr. CARAWAY. You said yesterday that Senators had complained, and therefore Mr. Orth corrected it, did you not?

Mr. LYDECKER. I said yesterday that I had heard of the complaints of Senators. That is what I said.

Mr. CARAWAY. How did the Senators know that you were preparing this chart? You never gave any House Member the knowledge that such a chart was being prepared.

Mr. LYDECKER. I may be in error in saying that anyone had complained, or anyone had said that anyone had explained his vote, or said that the record contained his explanation.

Mr. CARAWAY. Mr. Reavis calls my attention to this statement, Col. Lydecker, in the senatorial chart:

NOTE.—Not voting does not necessarily mean that the Senator was absent or dodged voting. In many instances the explanation is that the Senator was paired, and that his vote was not recorded on that account. It would therefore seem more fair to base the record upon the votes actually cast by the Senators.

Now, does not that same rule apply to a House Member, or did not your congressional committee know that Members in the House could pair?

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Mr. LYDECKER. I read from the congressional chart these words: "Where no designating mark appears opposite a Congressman's name it indicates that he voted right or was paired accordingly," and "N. V., not voting."

Mr. CARAWAY. The question was, Is there any explanation why he did not vote?

Mr. LYDECKER. I do not know whether it says—it says where no designating mark appears it indicates that he voted right, or was paired accordingly. That is what this paper says. If you ask me if there is any explanation why he was paired——

Mr. CARAWAY. No; why he did not vote?

Mr. LYDECKER. Why he did not vote, there is no other explanation that I know of other than that I have read.

Mr. CARAWAY. Your league is a corporate body?

Mr. LYDECKER. Yes, sir.

Mr. CARAWAY. What was the object of incorporating?

Mr. LYDECKER. I wish you would ask Mr. Menken what that was, because he is the one who did it. I do not know, except as a matter of convenience.

Mr. CARAWAY. What is the effect under the State laws of New York as to escaping personal liability, either for obligations or matters that may be sent out, by having your league become a corporation, instead of a voluntary association?

Mr. LYDECKER. Well, there are very many provisions in regard to that. Thus, for instance, a corporation of this kind would be sued by suing its president and not the individuals. That is one point.

Mr. CARAWAY. The individual member would escape responsibility, would he not?

Mr. LYDECKER. I do not know that he would escape responsibility. I do not know that he could.

Mr. CARAWAY. Do you not know what the corporation laws of your State are?

Mr. LYDECKER. I do not know the statutes of any State or any nation. I refer to the statutes when I have occasion to use them. I know the common law, but I do not know the statutes, according to the code.

Mr. CARAWAY. Do you want to go on record as not knowing anything at all with reference to the corporation laws of the State in which you practice?

Mr. LYDECKER. I have indicated that I do know something about the corporate laws, and I do know a great deal about the corporate laws.

Mr. CARAWAY. I thought you indicated that you did not. I beg your pardon. Would a member of this league be responsible for literature sent out if the literature happened to do one an injustice, and he had some legal recourse? Would the individual member or would the corporation have to be sued?

Mr. LYDECKER. I think if anyone was libeled by that which was sent out, that the person under whose name it was sent out would be liable for the libel, and all our literature goes out under some name.

Mr. CARAWAY. You do not think the corporation, then, would be liable, but that the individual would?

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Mr. LYDECKER. I think that the individuals would be liable if they were participants in the libel. As for pecuniary obligations and the respective obligations of tort, etc., of course the corporation is the only object that is held liable.

Mr. CARAWAY. The members would not be?

Mr. LYDECKER. Members would not be if the law was complied with respecting the corporate acts.

Mr. CARAWAY. I understood you to say yesterday that no chart was sent to Members of Congress?

Mr. LYDECKER. I was told that none were sent to Members of Congress, as I said.

Mr. CARAWAY. Was there any purpose in not sending them to Members?

Mr. LYDECKER. They were sent to the branches, and I think they were sent to—I do not know. I had nothing to do with the sending.

Mr. CARAWAY. And you do not know whether there was any purpose in not sending them to Members?

Mr. LYDECKER. Members of Congress?

Mr. CARAWAY. Yes, sir.

Mr. LYDECKER. No; I do not know.

Mr. CARAWAY. You never inquired why Members were not acquainted with the fact that you were getting them out and that they were ready for distribution?

Mr. LYDECKER. No; I did not, personally; I did not have anything to do with that detail.

Mr. CARAWAY. What means of distribution did you adopt?

Mr. LYDECKER. I think the mail.

Mr. CARAWAY. Where did you get the names of the parties to whom it was to be sent?

Mr. LYDECKER. But will you excuse me from answering this, because I told you I did not have anything to do with the distribution, and I am unable to do it.

Mr. CARAWAY. I thought you went into that yesterday with some little degree of familiarity, and that is the reason I asked you. You have no knowledge, then, of the manner of distribution at all?

Mr. LYDECKER. No.

Mr. CARAWAY. I thought you said they were sent to the leagues and that they were always for sale.

Mr. LYDECKER. That is what I was informed by Mr. Orth.

Mr. CARAWAY. You do not know anything about that?

Mr. LYDECKER. No.

Mr. CARAWAY. We talked a good deal yesterday of the Cooper amendment. I want to ask you just one more question. Do you recognize any difference in the status of a ship under international law carrying a contraband cargo, where it is armed by the owners, and where it has been armed by the Government?

Mr. LYDECKER. Yes.

Mr. CARAWAY. What is the difference?

Mr. LYDECKER. The difference is that the owner of the ship can not get arms, can not get 3-inch guns, except through the Government, and if it was armed it would be armed with perhaps very inferior arms, and it would not be in that same status as a merchant ship which was armed by the Government.

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Mr. CARAWAY. I was not asking you about the character of the armament. I said the difference in the status under international law. International law has nothing to do with the size of the gun.

Mr. LYDECKER. But international law prevented the sinking of ships on sight, according to our code of international law before this war.

Mr. CARAWAY. I did not ask you anything about that.

Mr. LYDECKER. Did you ask me if there was a difference in the status?

Mr. CARAWAY. Yes, sir; the legal status of a ship armed by the owner and one armed by the Government. You said there was a difference in its legal status, and then I asked you what that difference was.

Mr. LYDECKER. The difference between those two ships—when the Government enacted an act which authorized the arming of ships which did not carry contraband of war it created a difference in the status between those ships that were armed by private owners with their own arms and those that were armed with arms furnished by the Government. Now, in law the right to arm by the private owner being recognized, the fact that he could not arm by that enactment made a vast difference in the status.

Mr. CARAWAY. I am not asking you anything on earth about that. Col. Lydecker, you are a lawyer?

Mr. LYDECKER. I am a lawyer, and I do claim that what I say has a very great meaning. There may be a difference of opinion, but if you ask me, I must state it.

Mr. CARAWAY. That is exactly what I want you to do, is to state it. Now, here is the question: What is the difference in international law between the status of a merchant vessel, legal status, of a merchant vessel carrying a contraband cargo and being armed by its owners—private individuals—and a merchant vessel carrying the same class of a cargo but armed by its government?

Mr. LYDECKER. At what period of time—when?

Mr. CARAWAY. Well, at the time the Cooper amendment was pending.

Mr. LYDECKER. The difference was this, that a ship that was armed with guns furnished by the Government could protect itself, and the ship that was armed, carrying munitions, by private owners was helpless against the torpedo.

Mr. CARAWAY. It was helpless legally?

Mr. LYDECKER. The legal status was that international law did not prevail at that moment.

Mr. CARAWAY. I was not talking about its physical status; I was talking about its legal status.

Mr. LYDECKER. If you are talking about theoretical international law, I am answering you that international law did not prevail at that time and therefore the legal status of the ship was immediately changed when you refused to allow the Government to arm it when it was carrying munitions.

Mr. CARAWAY. Let us just presume that international law did prevail: what would have been the difference in the legal status of the two ships?

Mr. LYDECKER. Do you think that has anything to do with the attitude of Congressmen at that time?

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Mr. CARAWAY. It has something to do with your opinion on this question. You are teaching people their rights.

Mr. LYDECKER. I will teach people if you will establish a league of nations and establish international law throughout the world that can be enforced.

Mr. CARAWAY. Let me ask you the direct question. Do you know the legal difference between the status of the two ships?

Mr. LYDECKER. You are asking me if I know?

Mr. CARAWAY. Yes; I am asking you if you know. Do you know?

Mr. LYDECKER. And I am telling you that I know the legal status of the ship that is armed with munitions, and that is defenseless when international law does not prevail on the high seas, that the legal status of that ship is that it is in a helpless condition.

Mr. CARAWAY. That does not affect its legal status. That is a physical condition. You know the difference between physical condition and legal status, do you not?

Mr. LYDECKER. I do know.

Mr. CARAWAY. What is it?

Mr. LYDECKER. I do know that where there is a legal status the law sustains the individual that has the right.

Mr. CARAWAY. Is that true?

Mr. LYDECKER. That is true.

Mr. CARAWAY. No man ever did suffer a wrong, then, where he had a legal right?

Mr. LYDECKER. You asked me a minute ago if a man could be put in the stocks.

Mr. CARAWAY. And you said he could, and now you say he can not.

Mr. LYDECKER. Well, it was against the law.

Mr. CARAWAY. Do you know?

Mr. LYDECKER. Yes; I know.

Mr. CARAWAY. Well, if you do, you have kept it secret.

Mr. REAVIS. If an individual armed a merchant ship, without an affirmative act of the Government, at the time the Cooper amendment was pending, that would not be, under international law, an act of war on the part of this Government, would it, if an individual had done that?

Mr. LYDECKER. Yes; if the Government tacitly allowed it, it would be a tacit act, the same as if Congress had passed an act that authorized it.

Mr. REAVIS. But you supplied something that was not in my question. Kindly pay attention to the question, as I would like to get your legal view of the situation. Without any affirmative act of the Government, if a merchant vessel carrying munitions to one of the belligerent powers, at the time the Cooper amendment was pending, was armed by its owners, would it involve this country in any way, under international law, the arming of that vessel?

Mr. LYDECKER. With the knowledge but without the act of the Government?

Mr. REAVIS. I said with no affirmative act on the part of this Government, it not being a party to the arming of that vessel?

Mr. LYDECKER. I am trying to ask you, Mr. Reavis——

Mr. REAVIS (interposing). I am trying to get it to you.

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Mr. LYDECKER. I am trying to ask you whether your word "affirmative" means affirmative legal enactment, because I say that is tacit acquiescence.

Mr. REAVIS. I did not say anything about tacit acquiescence, or anything about legal enactment.

Mr. LYDECKER. You said affirmative action by the Government.

Mr. REAVIS. Will you please pay attention to this question?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. A merchant vessel carrying cargo or contraband munitions of war is armed by the owners, without any action upon the part of this Government. Would that be an act of war, or would it involve this Government in the controversy on the other side of the sea?

Mr. LYDECKER. No one ship so armed would.

Mr. REAVIS. Now, let me put the other question to you: A merchant vessel carrying the same cargo, armed by this Government, would that not be an act of war under the same circumstances?

Mr. LYDECKER. Not under all circumstances.

Mr. REAVIS. Under those circumstances prevailing at the time the Cooper amendment was pending?

Mr. LYDECKER. I said, in answer to that yesterday, that I thought it practically amounted to an act of war.

Mr. REAVIS. Surely. Then the difference in legal status is this, that if the Government armed it that is an act of war, but if the individual armed it that is not an act of war?

Mr. LYDECKER. Yes; if the Government tacitly allows it. I have said tha repeatedly. Your expression, "affirmative action," would apply that the only affirmative action is an enactment, and I say that tacit acquiescence by the Government in the arming by its citizens of ships is precisely the same as if the Government passed an enactment, and it is as much an act of war in either case.

Mr. CARAWAY. The mere fact of permitting a ship to depart from port carrying arms for defensive purposes is an act of war according to your construction of international law; that is, the tacit permission to a vessel to carry arms for defensive purposes?

Mr. LYDECKER. It is in some circumstances; yes, sir.

Mr. CARAWAY. In what circumstances is that an act of war?

Mr. LYDECKER. It is an act of war when the Government authorizes the carrying of arms for the purpose of sinking these——

Mr. CARAWAY. You said tacitly?

Mr. LYDECKER. You put your question the other way.

Mr. CARAWAY. We will put it your way, then. Now, you tell me when that would be an act of war? When the Government permits a merchant vessel to carry arms for defensive purposes, when would that be an act of war?

Mr. LYDECKER. My own opinion is that there has never been a time when merchant ships were not permitted to carry arms for defensive purposes. and that does not ordinarily amount to an act of war.

Mr. CARAWAY. When does it amount to an act of war?

Mr. LYDECKER. It amounts to an act of war when the circumstances are such that the guns are sure to be used, and are being used, and where it is in a situation where we have got to act accordingly.

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Mr. CARAWAY. You say the league took no part in the election of Representatives to Congress?

Mr. LYDECKER. Yes; I said that.

Mr. CARAWAY. Then you said in another place that it was active in forming fusions to defeat certain members?

Mr. LYDECKER. Advising, not in doing so.

Mr. CARAWAY. But he that advises and aids and abets stands in about the same attitude, does he not, in law?

Mr. LYDECKER. The criminal law clearly defines aiding and abetting.

Mr. CARAWAY. Well, who is an aider and abettor, under the criminal law?

Mr. LYDECKER. Such a person is just as guilty.

Mr. CARAWAY. Who is one? Tell me what your definition of an aider and an abetter is?

Mr. LYDECKER. One who enables the criminal act to be performed.

Mr. CARAWAY. Who aids, advises, or counsels one to commit an act, is he an aider and abetter?

Mr. LYDECKER. Yes, sir.

Mr. CARAWAY. You say you advised the formation of the fusions to defeat candidates?

Mr. LYDECKER. Yes.

Mr. CARAWAY. And yet you took no part in the congressional elections?

Mr. LYDECKER. That is taking no part.

Mr. CARAWAY. Do you see any inconsistency in that statement?

Mr. LYDECKER. Well, there is no statement which, being abbreviated, may not be partly inaccurate.

Mr. CARAWAY. Will you elaborate and tell us where you could do one without being a party to the other?

Mr. LYDECKER. Urging a national policy of fusion, without respect to party, whether it is a Socialist and a Republican united against a Democrat, or a Democrat and Socialist united against a Republican, or a Republican and Democrat united against a Socialist.

Mr. CARAWAY. You say that would not be taking any part in the election?

Mr. LYDECKER. As a national policy. That is not, in my opinion as a lawyer and as president of this association, taking part in a political campaign, within the statute that Mr. Walsh referred to, or in any way.

Mr. CARAWAY. You were not familiar with the statute, were you? I was asking you with reference to a fact, because I have understood you pleaded guilty to not having read the act.

Mr. LYDECKER. I will exclude the act, and I will say it generally was not taking part in a political campaign, except as a national matter and as a citizen has a right to do.

Mr. CARAWAY. Did your organization send out buttons for distribution?

Mr. LYDECKER. League buttons?

Mr. CARAWAY. Any buttons.

Mr. LYDECKER. Yes.

Mr. CARAWAY. To be used in the campaign?

Mr. LYDECKER. No; I do not think we have issued any button to be used in the campaign.

Mr. CARAWAY. What kind of a button did you prepare?

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Mr. LYDECKER. We had the National Security League button, indicating membership in the league.

Mr. CARAWAY. Did you have any buttons with figures or words, "100 per cent American," or anything of that kind?

Mr. LYDECKER. Not to my knowledge.

Mr. CARAWAY. Do your branch leagues have any right, under your charter, to do anything that your parent league could not do?

Mr. LYDECKER. They had no right to do anything contrary to the purposes and principles of the law, without our authority.

Mr. CARAWAY. Tell me how your branch leagues are formed and what relation they sustain to the parent league?

Mr. LYDECKER. The branch league in Chicago, I think, has about 8,000 members. They elect their own officers, and they are looked up, but they are as a patriotic group who are invited to participate in everything that relates to the betterment, for insance, of Bohemia——

Mr. CARAWAY (interposing). I was not asking you anything about their social standing in Chicago.

Mr. LYDECKER. Their activity?

Mr. CARAWAY. I was asking the relationship of the branch league to its parent league.

Mr. LYDECKER. I am trying to explain to you.

Mr. CARAWAY. That does not explain it.

Mr. LYDECKER. They have entire control over their activities, whether in getting up a meeting for the Poland refugees, or the Bohemian citizens, or Czecho-Slovaks, or any of those local matters which involve patriotism and are looked up by the people. As a branch, they do it without any regard to the activities of their headquarters.

Mr. CARAWAY. If you will allow me just to ask you to avoid that, what is the legal connection between the branch league and the headquarters?

Mr. LYDECKER. It takes its name from our national title.

Mr. CARAWAY. And that is all?

Mr. LYDECKER. And it is amenable to the national headquarters for any violation of the purposes or principles of the law.

Mr. CARAWAY. And is the league responsible for any of its acts?

Mr. LYDECKER. Not for any acts that are done outside of our charter privileges.

Mr. CARAWAY. Do you try to keep any supervision over it to see whether or not it stays within your charter privilege?

Mr. LYDECKER. There has been no police inspection. We have never heard complaint. If it were complained of, the league branch would be terminated, or some disciplinary measure taken, but none has been taken that I know of.

(Whereupon, at 12.50 o'clck, p. m., a recess was taken until 1.50 o'clock p. m.).

AFTER RECESS.

The committee reassembled at 2 o'clock p. m.

Mr. JOHNSON. Col. Lydecker, will you take the stand, please.

STATEMENT OF MR. CHARLES E. LYDECKER—Resumed.

Mr. CARAWAY. Mr. Lydecker, we were talking about your branch legislation when the *adjournment took place*. Does the parent league

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have any supervision at all over the branch leagues? I mean actually; I am not talking about theory.

Mr. LYDECKER. I think not.

Mr. CARAWAY. You just permit them to use your name and do anything they see proper?

Mr. LYDECKER. Yes; with the understanding that it is within our purposes.

Mr. CARAWAY. But you don't take any trouble to ascertain whether actually that is the object for which the branch league is organized and to which it directs all of its activities?

Mr. LYDECKER. No; no measures have ever been taken to my knowledge by way of supervision of activities.

Mr. CARAWAY. Now, if it became the ally of any political organization, of course, you know nothing about it?

Mr. LYDECKER. I do not.

Mr. CARAWAY. And if you were to so ascertain, would you take any steps?

Mr. LYDECKER. I should immediately protest and proceed to have such action stopped.

Mr. CARAWAY. Now, has the Security League had any relations with any political party, faction, or organization?

Mr. LYDECKER. No, sir.

Mr. CARAWAY. It hasn't counseled with nor lent any aid, either moral or otherwise, to any political organization?

Mr. LYDECKER. No, sir.

Mr. CARAWAY. Of any time?

Mr. LYDECKER. Not to my knowledge, of any kind whatsoever.

Mr. CARAWAY. Would you know it if it were true—if it has been done?

Mr. LYDECKER. I think so. And in my own particular case, where I was asked this last year if I would let my name be used in any way in connection with the Democratic election, I declined absolutely.

Mr. CARAWAY. Who asked you to let them do that?

Mr. LYDECKER. I think Mr. Elkus called me up and asked me. He used to be minister to Constantinople. I think he called me up and asked me.

Mr. CARAWAY. Was he acting for the Democratic Party?

Mr. LYDECKER. I presume he was.

Mr. CARAWAY. Where?

Mr. LYDECKER. He was in his office—or he was talking to me on the phone. I am only mentioning this as a fact in answer to your question. I absolutely refused to have anything to do with any political party, being engaged in purely educational and nonpartisan work. I declined.

Mr. CARAWAY. When was this conversation with Mr. Elkus?

Mr. LYDECKER. I think it was within—sometime within a month of the election.

Mr. CARAWAY. He wanted you to join forces with the Democrats in what State?

Mr. LYDECKER. He wanted to use my name in the city of New York, and I can't recall now just whether it was the congressional or senatorial election.

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Mr. CARAWAY. Did he want to use your name simply as Col. Lydecker, or your name and official standing as president of the National Security League?

Mr. LYDECKER. My personal name only, because the moment I said "I am president of the National Security League," he said, "Oh, I had forgotten that."

Mr. CARAWAY. When your league was informing or advising factions to fuse to defeat certain candidates, if you have no kind of connection with political organizations, how did you go about assisting in these fusion movements?

Mr. LYDECKER. I can't answer you the practical method or the acts that Mr. Orth pursued, but that was the policy that was advised early in May.

Mr. CARAWAY. What policy?

Mr. LYDECKER. The policy of urging politicians or political leaders to forego their party affiliations and unite in districts that were so largely populated by the vote of disloyal men or ignorant men. I don't like to use the word "disloyal." I will speak of them as unenlightened men.

Mr. CARAWAY. You say, largely confined your efforts to unenlightened communities?

Mr. LYDECKER. You mean efforts in regard to fusion?

Mr. CARAWAY. Yes; and the election of candidates, the defeating of other candidates that were not thought to be desirable. Is that true?

Mr. LYDECKER. Well, I think the use of the word "unenlightened" in regard to fusion related to only a few districts; but our distribution was not on the basis of the alien population.

Mr. CARAWAY. Well, what was the thing then that guided you in your movements in various districts? Was it because the communities were not enlightened, or that they were disloyal, or what was it that caused the league to become active in certain communities and not in others?

Mr. LYDECKER. As I have stated, I had nothing to do with this distribution. The matter is entirely within the knowledge of Mr. Orth, and I can't answer.

Mr. CARAWAY. You have no information about it?

Mr. LYDECKER. No; I can't answer.

Mr. CARAWAY. Then how is it that you have any information about having advised fusion in certain districts if you are without information wholly on the subject?

Mr. LYDECKER. The reason is that, from the very beginning, when a policy of fusion was spoken of it related only to those few districts where the Socialist vote—I think the vote which was considered the dangerous one—was the big vote.

Mr. CARAWAY. Do you think the Socialist vote was dangerous because of lack of intelligence or lack of patriotism? You use those words rather interchangeably.

Mr. LYDECKER. I have never been able clearly to explain whether the population which represented the Socialist vote was due to lack of patriotism or disloyalty. I believed it was due to lack of education of the magnificent opportunities of our American civilization.

Mr. CARAWAY. Well, that is lack of information, not lack of patriotism.

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Mr. LYDECKER. Enlightenment, I think, is the word I used; and I don't think I confused the words "disloyal" and "patriotic" in connection with that.

Mr. CARAWAY. Well, I couldn't see any confusion between disloyal and patriotic. They stand at opposite extremities. It was the question of disloyal and lack of information that I was rather not clear on.

Mr. LYDECKER. I wish to make it clear.

Mr. CARAWAY. Coming back to your branch leagues, did you have any knowledge of the character of the men that were selected to be the officers, to have charge of these branch leagues?

Mr. LYDECKER. Only the time I speak of at Chicago or places where I went.

Mr. CARAWAY. You took no special effort to ascertain the character of the men that were using your name in other States?

Mr. LYDECKER. Well, you mean the league? The league, I think, took particular pains to know who the men were. These branches were all informed.

Mr. CARAWAY. Who in the league will know whether that is true or not?

Mr. LYDECKER. Mr. West.

Mr. CARAWAY. Mr. West will know?

Mr. LYDECKER. Yes; and Mr. Menken.

Mr. CARAWAY. I was rather struck at your definition of your own policy. You said you were a Democrat by inheritance?

Mr. LYDECKER. I did.

Mr. CARAWAY. Would you mind telling us what sort of a Democrat that is?

Mr. LYDECKER. It is a Democrat whose father was a Democrat and who had from his youth up been associated with sympathetic ideas relating to the Democratic Party.

Mr. CARAWAY. That is a Democrat by inheritance?

Mr. LYDECKER. That is what I meant.

Mr. CARAWAY. Did you know that members of the Security League, in some instances at least, visited Members of Congress and threatened to go into their districts unless they subscribed to certain views?

Mr. LYDECKER. No.

Mr. CARAWAY. If anybody did that, it was without your consent or knowledge?

Mr. LYDECKER. That is true.

Mr. CARAWAY. Does your propaganda—does the National Security League have among its tenets any opposition to or any leanings toward Government ownership of railroads?

Mr. LYDECKER. I never heard that question raised or discussed.

Mr. CARAWAY. Do you know if it is true that certain persons, representing themselves to be acting for the National Security League, asked Members of Congress their attitude on Government ownership at the same meeting in which the Members were questioned with reference to their attitude on national defense and other matters in which the league was interested?

Mr. LYDECKER. If I understand your question, you want to know if it be true that any Member of Congress was asked in regard to national defense, and whether he was at that time asked in regard

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to his views concerning municipal ownership or Government ownership? And if that is the question, I answer I don't know.

Mr. CARAWAY. All right. When you met in New York to select the members of your executive committee, I believe you said that a committee was appointed by you to nominate members for this executive committee?

Mr. LYDECKER. No; I said a committee was nominated by the chairman, Mr. Menken.

Mr. CARAWAY. Well, did that committee go out and select the names of men in the various States, and were they elected as members of the executive committee without having communicated with the parties that were selected?

Mr. LYDECKER. You mean were they elected without being informed of their selection?

Mr. CARAWAY. Yes; if the honor was coming to them.

Mr. LYDECKER. I think that they were in almost all cases asked to accept.

Mr. CARAWAY. You think that Luke E. Wright, of Memphis, Tenn., was asked if he would be willing to become a member of the executive committee at the time he was nominated and elected?

Mr. LYDECKER. I think so, and I know he has been at the executive meetings and served with it since that time.

Mr. CARAWAY. Did I understand you to say that about the only meetings that the executive committee would have to discuss policies was at lunch in some club?

Mr. LYDECKER. I said that was a common method of having our meetings down town. Some meetings have been held outside of those where the members met at the lunch hour.

Mr. CARAWAY. Did I understand you to say that you had no knowledge of what use was made of the answers if any answered the questionnaires that were sent out?

Mr. LYDECKER. I have no personal knowledge of that.

Mr. CARAWAY. Do you know why these questionnaires were sent out?

Mr. LYDECKER. The committee on the work of securing a good war Congress adopted that course. I don't know why.

Mr. CARAWAY. You don't know what use they intended to make of the answers when they should receive them?

Mr. LYDECKER. I must, of course, assume they meant to use them in some way. I don't know how.

Mr. CARAWAY. Well, you didn't presume they meant merely to use them by putting them in the files, but were to give them some kind of publicity, were they not?

Mr. LYDECKER. That is what I have said.

Mr. CARAWAY. They were given to the opponents of the candidates, if the answers were not satisfactory.

Mr. LYDECKER. That I am unable to decide—how they made the distribution of that knowledge or what they used it for.

Mr. CARAWAY. They weren't published, were they?

Mr. LYDECKER. That I don't know.

Mr. CARAWAY. You don't know anything about those things?

Mr. LYDECKER. The questionnaire, I can't answer you more fully on than I have. I would without hesitation if I knew.

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Mr. CARAWAY. Coming down to the activities of the league, you seem to have branch organizations in Connecticut, Illinois, Iowa, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Pennsylvania, Wisconsin, California, Colorado, Hawaiian Islands, Kansas, New York, South Carolina, Tennessee, Washington, Cuba, and Oklahoma.

Leaving out Cuba and the Hawaiian Islands, your activities seem to have been confined altogether to States where contests might be waged between opposed Members of Congress, does it not?

Mr. LYDECKER. It doesn't appear so to me; and the branches were formed long prior to this congressional election.

Mr. CARAWAY. When was the branch in South Carolina formed?

Mr. LYDECKER. That I can't tell you.

Mr. CARAWAY. When was the branch in Louisiana formed?

Mr. LYDECKER. I can't tell you.

Mr. CARAWAY. How do you know they were formed long prior to the congressional election, then, if you have no idea when they were formed?

Mr. LYDECKER. Because I have seen their names upon the prints of the league as being in localities prior to this period.

Mr. CARAWAY. How long prior?

Mr. LYDECKER. Well, I should say as much as the beginning of the year 1918.

Mr. CARAWAY. I want to ask you another question: Under your congressional chart of the House, you have 47 names on the honor roll.

Mr. LYDECKER. I will ask you to show me what you are referring to.

Mr. CARAWAY. That is, men whose votes entirely met the approval of the National Security League and the eight tests.

Mr. LYDECKER (after examining paper). Here, I think, is what you want. Will you show me what you mean by "an honor roll"?

Mr. CARAWAY. Well, that is men who voted according to the league's idea as to what was right on the eight tests.

Mr. LYDECKER. I have been told—I haven't figured this myself—there is nothing on this chart to show that there are 47, as Mr. Walsh said, that voted for all eight.

Mr. CARAWAY. Well, presuming that is true, that is practically 10 per cent of the membership of the House. Were you aware that this 47 Members, which is practically 10 per cent of the membership of the House, formed 40 per cent of those who voted against the income tax?

Mr. LYDECKER. I never knew it.

Mr. CARAWAY. That didn't help them to get on the honor roll, did it?

Mr. LYDECKER. What; the income tax?

Mr. CARAWAY. Voting against the income tax.

Mr. LYDECKER. It is not on this chart.

Mr. CARAWAY. I know that.

Mr. LYDECKER. If you will show me what you refer to as the honor roll—I never made any computation of that, and I don't know that the league ever did.

Mr. CARAWAY. You don't know that the league did not, do you?

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Mr. LYDECKER. I know that there never was any computation presented to me, either of Republicans or Democrats or an honor roll in regard to this league.

Mr. CARAWAY. Nothing was presented to you until the thing was printed? You saw it after it was printed and ready for distribution for the first time?

Mr. LYDECKER. This particular chart, the Senate chart?

Mr. CARAWAY. The particular chart I am talking about.

Mr. LYDECKER. I did know—you said anything.

Mr. CARAWAY. No; I am talking about this chart. Did you ever see this chart before it was printed?

Mr. LYDECKER. No.

Mr. CARAWAY. Did you ever see the information that comprises it before it was printed?

Mr. LYDECKER. No.

Mr. CARAWAY. That is what I thought you said. Whether or not the text was so designed so as to reach a certain class of people, you don't know, do you?

Mr. LYDECKER. What particular class?

Mr. CARAWAY. Those who voted against the income tax?

Mr. LYDECKER. No; the income tax was not referred to.

Mr. CARAWAY. But did this form anything in the minds of the people who made up the test?

Mr. LYDECKER. I don't know.

Mr. CARAWAY. Well, that is what I was after. I have here in my mind what purports to be a National Security League bulletin.

Mr. LYDECKER. Number what? [After examining.] No. 6.

Mr. CARAWAY. Is that a publication issued by the National Security League?

Mr. LYDECKER. Yes, sir.

Mr. CARAWAY. You have an official bulletin or paper, and this is it?

Mr. LYDECKER. Yes, sir.

Mr. CARAWAY. I want to ask you about things that appear on page 2.

Mr. BROWNE. What month is that?

Mr. LYDECKER. December, I think.

Mr. CARAWAY. It is December, 1918, League Bulletin No. 6. On page No. 2 I see: "Future activity of the league." Have you page 2 there? It is headed: "Future activities."

Now, these things that are enumerated below there, eight objects to be worked for, are the ends that the league shall labor to bring about in the future?

Mr. LYDECKER. They were suggestions for thought and for activity which were suggested to the executive committee and approved by them as worthy objects.

Mr. CARAWAY. Who suggested them to the executive committee?

Mr. LYDECKER. I did.

Mr. CARAWAY. You suggested them and the executive committee——

Mr. LYDECKER (interposing). After conferring with the heads of the several committees and a discussion.

Mr. CARAWAY. And the executive committee approved them?

Mr. LYDECKER. Yes.

Mr. CARAWAY. And then they became objects of the organization?

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Mr. LYDECKER. Yes.

Mr. CARAWAY. And the organization is pledged to try to bring them to public notice and to create public sentiment that will be favorable to their enactment into law or adoption as a public policy?

Mr. LYDECKER. Well, I wouldn't use the word "pledge." They are indicative as a part of the performance of the trust which any of the subscribers by the payment of their dollar are entitled to consider.

Mr. CARAWAY. Does the membership of the league understand that the league is seeking to bring about a fulfillment of these eight pledges?

Mr. LYDECKER. Yes.

Mr. CARAWAY. Number 1 urging a just and careful peace treaty?

Mr. LYDECKER. Yes.

Mr. CARAWAY. What activity is the league putting forth to redeem that pledge?

Mr. LYDECKER. None whatever at the present time.

Mr. CARAWAY. Now, you said that the membership could understand the league was working toward the end suggested, and you say now the league is not putting forth any activities.

Mr. LYDECKER. No; you do not quote me right.

Mr. CARAWAY. You put yourself in the record, then.

Mr. LYDECKER. What I said was that these were topics that were suggested and approved by the executive committee for the future activity and they have not yet—it is very recently that these were topics. They have just been approved, and as far as the majority of them are concerned, they were work of the committees already in progress. The first one that you referred to and asked me about, the committee has not been informed, has not taken any active part and is likely to do so if it appears that public discussion is very rife, and that the question of the confirmation of the treaty interests the world at large—of the United States—either upon questions of the freedom of the seas or the league of nations or any of those matters upon which the Senate may be called upon to vote. If it is a matter of public interest and discussion and view, this league would take its part in that according to that suggestion.

Mr. CARAWAY. I thought you said in this answer to a question just before that that the membership who contributed the money could know that the league was trying to carry out these policies. Did you say that?

Mr. LYDECKER. I don't think I said that, that the league might know what the purposes that the organization would have to carry out were, not what they were actually carrying out but that they were going to carry out.

Mr. CARAWAY. Pledged to carry out.

Mr. LYDECKER. What they were going to carry out.

Mr. CARAWAY. Next comes, "steadying the Nation by a great propaganda for the maintenance of the principles of freedom, justice, law, and liberty." You are carrying that out?

Mr. LYDECKER. Yes, we are trying to carry that out through our patriotism through educational means.

Mr. CARAWAY. Number 3 is following up the post bellum needs of sympathy and recognition of the soldier wounded. You are carrying that out?

Mr. LYDECKER. Yes.

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Mr. CARAWAY. Number 4, "Creating a just administration of law regarding naturalization." You are carrying that out?

Mr. LYDECKER. We have for a long time been engaged in doing work upon that, but nothing of a very definite nature at the present moment is being done, but we believe that the just administration of law regarding naturalization would be a great national benefit.

Mr. CARAWAY. Will you tell me how you go about bringing about a good administration of a law regarding naturalization. Do you approach the courts, who are the sole means of naturalizing aliens, and suggest to them certin tests or standards?

Mr. LYDECKER. There are, of course, different ideas as to how to go about that.

Mr. CARAWAY. Well, what is your idea?

Mr. LYDECKER. Under the Constitution, Congress has authority to take charge of the matter of creating citizens. My notion is that Congress hasn't done that in a very complete way, and that in different parts of the United States there are people who are permitted to exercise the rights of citizenship upon a very perfunctory requirement.

Mr. CARAWAY. Did you know that none of that is embraced in the suggestion, "creating a just administration of law"? That is presuming that the law already exists and that administration of it is merely enforcement of it regarding naturalization, not regarding citizenship but naturalization—that is, acquiring citizenship in the United States.

Mr. LYDECKER. I am afraid that we did not take quite as technical a view of the wording of that fourth paragraph as you do, because we didn't certainly mean that we were not to have an administration of law which would be either an amended law, a good law, but just administration of the law.

Mr. CARAWAY. Finally: "Teaching the meaning and value of our Constitution and the maintenance of our national integrity." You are doing that?

Mr. LYDECKER. That seemed to be one of the greatest aims and purposes that this National Security League could indulge in. We hoped that no objection would be made to it by anybody.

Mr. CARAWAY. No; I should think not.

Now, number 6, "creating a greater regard for representative government as distinguished from mass administration; protecting our National Legislature from dangerous proletarians." Now, you are bringing that about?

Mr. LYDECKER. Yes.

Mr. CARAWAY. Would you mind telling us how you are doing that?

Mr. LYDECKER. We are doing everything in our power to educate the people by our public speakers and by our literature, that a Republic of a hundred million people can be governed wisely through wise representatives and not by mass rule or mob, and we believe that our people should be taught to have the greatest respect for their representatives, that they should be educated to elect representatives who are great in mind and in heart and true Americans; and that is the purport of that No. 6, to create a greater regard for representative government as distinguished from mass administration, which *appears at present to* be the curse of Russia.

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Mr. CARAWAY. Let me ask you, then, what do you understand a proletariate is?

Mr. LYDECKER. Well, I don't know exactly what a proletarian is, but a dangerous proletarian is a man who is an ignorant demagogue.

Mr. CARAWAY. Well, where do you get that definition? A proletarian is a poor man, a man without means, or a laborer; a wage earner. Well, that is what the definition is, according to the dictionary. Now, you are to guard Congress against poor people? I presume you thought there was no danger from any other class?

Mr. LYDECKER. I don't believe any member of the Security League had any such idea.

Mr. CARAWAY. Well, does the Security League mean what it says when it pledges its membership that it will do certain things?

Mr. LYDECKER. I don't think you can make any point that the league is in any way opposed to the class that needs help and uplifting and education—the poorer class.

Mr. CARAWAY. If it means what it says, that is exactly what it means. If it doesn't mean that, you tell us what the league means.

Mr. LYDECKER. I don't think dangerous proletarians means dangerous laboring classes.

Mr. CARAWAY. Well, what does "proletarian" mean? Let's settle that.

Mr. LYDECKER. A proletarian is a demagogue.

Mr. CARAWAY. Will you mind telling us what book you got that definition out of?

Mr. LYDECKER. No; I wouldn't mind telling you, for I got it out of no book.

Mr. CARAWAY. I judge so. You just made your own definition. You and Webster don't agree about that, and that shows Webster is wrong.

Mr. LYDECKER. Webster is unfortunate.

Mr. CARAWAY. If Webster had lived in your time he would been better educated.

Mr. LYDECKER. Webster's dictionary was written 65 years ago.

Mr. CARAWAY. I know; before the Security League was organized, and he never had the advantage of their education.

Mr. LYDECKER. They go on stereotyping those plates year after year and selling them for a dollar for a great lot of it, and they do a great deal of good. If I have conveyed the impression against the laboring class by my definition of "proletarian," I wish to say that no such intention ever was in the minds of the Security League.

Mr. CARAWAY. No. 7 is "Maintaining a campaign for the use of the English language by all citizens and permanent residents."

You carry that out?

Mr. LYDECKER. Yes; we have been doing that since the war—the campaign for the English language.

Mr. CARAWAY. And No. 8 is "Promoting universal military instruction and training."

Mr. LYDECKER. Yes, sir.

Mr. CARAWAY. Now, that means you want everybody to be brought into the Military Establishment?

Mr. LYDECKER. No, sir; we do not.

Mr. CARAWAY. How are you going to give him military training, then?

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Mr. LYDECKER. I think your son in college can get military training without being part of the Military Establishment.

Mr. CARAWAY. But, you know, everybody's son don't get to college.

Mr. LYDECKER. Everybody's son, under the law, goes to school; everybody's son can be trained physically, and military training begins with a good physique, the teaching of hygiene.

Mr. CARAWAY. Well, then, let us get it clear; you don't believe in military service, universal military service?

Mr. LYDECKER. Absolutely not.

Mr. CARAWAY. You don't want—I thought you said yesterday you wanted every man to carry a gun from 18 to 21 as a qualification to vote.

Mr. LYDECKER. I never said that in this room.

Mr. CARAWAY. What did you say with reference to that yesterday?

Mr. LYDECKER. I said every man who reaches the age of 18, every boy who reaches the age of 18, has imposed upon him by law the obligation to be a defender of his country and may be called on to carry a gun, and he has that duty three years before he gets the right to vote, at 21.

Mr. CARAWAY. That is what you say?

Mr. LYDECKER. I said that.

Mr. CARAWAY. I misunderstood you. I am glad you corrected that. Your organization doesn't believe, then, in universal military service?

Mr. LYDECKER. Absolutely not.

Mr. CARAWAY. You didin't get the $150,000 from the Carnegie Corporation with the understanding that it was to be used to promote a sentiment for universal military training?

Mr. LYDECKER. I read you the letter which was a letter authorizing the use of that money for education of purposes, and our idea of education extends, according to the definition made by Milton years ago, to teach a citizenship that fits a man to perform all the duties of citizenship whether they be civil or military.

Mr. CARAWAY. Well, I want to ask you again what is your definite plan for carrying out proposition No. 8, promoting universal military instruction and training?

Mr. LYDECKER. You mean the plan of the league?

Mr. CARAWAY. Yes; the plan of the league. What is its plan?

Mr. LYDECKER. The plan of the league up to the present minute is to expand knowledge of the benefits of universal military education and training, and the entire country has been during this last year given a very full and complete lot of information upon that subject. The agreement concerning the way to carry out the military instruction and training has been impossible to reach, either by you Congressmen or the Senators. Mr. Chamberlain has introduced several bills——

Mr. CARAWAY (interposing). Pardon me, what is your plan? Not the plan of Congress.

Mr. LYDECKER. I am going to tell you. I can't tell you without telling you first that there is absolutely no unanimity in the United States to-day upon a plan; that the country has now been educated

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after three years to the value and wisdom of inculcating or incorporating in our education of the youth of the country something concerning military training, whether it be the set-up of the soldier or the training of the mind to subordination, discipline, and obedience—but not trench training, but the elements of a soldier; his mental qualification as well as physical. You asked me what my idea was. I have studied this thing for 30 years, and my idea is that every man should be enrolled when he reaches the age of 18. He should be enrolled and given to understand that he is thereby made a member of the militia. I do not believe in putting him into intensive training. I do not think it is necessary to put him into a uniform. I do not think it is necessary to give him a gun immediately. I would give him several months to think over the fact that he had the responsibility of soldiering in case of necessity. I would give it to him in such a way that it would interest his mind, and he would begin to see how it was wise for him to perfect himself in some of those qualities. I attribute my own health to this age to the fact that I always was conscious of the fact that I might have to go out, sleep on the ground, and do the duties of a soldier; and if everyone had that thought inculcated in him when 18 years of age, and had the best advice of a good Army officer and surgeon, he would become a soldier to that extent. We train our soldiers in the trenches within three months for war, but we don't train their minds to discipline except with two or three or four or five years.

Mr. CARAWAY. Now, if you will pardon me, that may be responsible for the question. If so, the question was not what I thought it was.

Mr. LYDECKER. I answered you what my plan was.

Mr. CARAWAY. Does your plan contemplate, eventually, making every man wear a uniform?

Mr. LYDECKER. No.

Mr. CARAWAY. Or to carry a gun?

Mr. LYDECKER. No; not necessarily.

Mr. CARAWAY. Not necessarily?

Mr. LYDECKER. I would follow the Swiss system to the extent that every young man had the opportunity of learning something about the prize and the privilege of being educated in a soldierly way, and he would have a desire and then you would get your 420,000 men entering the National Guard. They would be glad to go in and get one or two or three years of training.

Mr. CARAWAY. You would like to keep the guard under the State and not make a federalized National Guard?

Mr. LYDECKER. Well, that was my idea for 30 years, that the education of the citizen was not national; that it was State, and that that part of the education of the citizen as to his soldierly duties was the State's, and I always believed it could be done.

Mr. CARAWAY. What is it now?

Mr. LYDECKER. I wrote this 35 years ago, and it was published in the North American Review—my views. I have expressed them before the Senate; but I don't object to federalizing the militia if it is going to be done better. I think that the education of the citizen can be accomplished by the State. As a Democrat I was brought up to respect the views in the essay of de Tocqueville. I believe the greatest government is the government of the family.

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Mr. CARAWAY. I am through.

Mr. JOHNSON. Colonel, when were you made president of this league?

Mr. LYDECKER. June 26, of this year.

Mr. JOHNSON. To what extent, if to any extent at all, were you a candidate in the true sense of the world, in other words, that you sought the position?

Mr. LYDECKER. Absolutely in no way a candidate.

Mr. JOHNSON. Who was your predecessor?

Mr. LYDECKER. Mr. Menken.

Mr. JOHNSON. How did it happen he got out as president?

Mr. LYDECKER. He resigned.

Mr. JOHNSON. Do you know what caused his resignation?

Mr. LYDECKER. I know of his letter of resignation.

Mr. JOHNSON. Do you know of anything beyond that?

Mr. LYDECKER. Yes.

Mr. JOHNSON. What?

Mr. LYDECKER. Well, there was some qeustion whether Mr. Menken had or had not expressed himself in such a way as to indicate that he did not reprobate the utterances of the Hearst papers, which fact led the executive committee to feel that if there was going to be any discussion whether our great educational program was being carried on, whether it would be in any way halted or interfered with by any discussion concerning what Mr. Menken's statement was, that he ought not to let that occur; and I think in a spirit of self-sacrifice, because he was heart and soul at the head of the league and the work for years, he wouldn't stand in the way for a moment of having any work of the league interfered with in any manner, and he resigned. And as I had been a member of the league since the beginning, and apparently in the minds of this committee was the most available man—although I certainly was a very busy man and didn't have the time to do it—I consented to act as the president, and have acted since.

Mr. JOHNSON. To whom did you give that consent?

Mr. LYDECKER. Right then and there to the executive committee.

Mr. JOHNSON. Had they theretofore apprised Mr. Menken of their views that he was no longer just exactly fit for the position?

Mr. LYDECKER. Yes; in discussion that was stated.

Mr. JOHNSON. Do you remember who stated that to Mr. Menken?

Mr. LYDECKER. Why, yes; I do remember some of the men. I stated it. Lawrence Abbott stated it, Dr. McElroy stated it, Mrs. Preston stated it, Miss Maud Wetmore stated it—possibly several others. There was enough statement to make it carry to his mind that there was this danger and that it would be an act of wisdom.

Mr. JOHNSON. What particular act or what particular expression of Mr. Menken invited particular attention to the league, so as to bring about his displacement as president?

Mr. LYDECKER. Mr. Hearst, in the full-page portion of his paper, printed with those headlines which carry so strongly the fact that he was indorsed by Mr. Menken.

Mr. JOHNSON. Indorsed for what?

Mr. LYDECKER. That he, the president of the National Security League, had indorsed Mr. Hearst. Mr. Menken had given an interview to a reporter—you want my memory of this?

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Mr. JOHNSON. Yes; but I am asking also at the same time for you to state for what Mr. Hearst was indorsed by Mr. Menken?

Mr. LYDECKER. I am going to tell you, if you will allow me to tell you, from memory. Otherwise I will give you the documents.

Mr. JOHNSON. Go ahead.

Mr. LYDECKER. Mr. Menken had been interview by one or two reporters of the Hearst paper after a complaint by Mr. Hearst to Mr. Menken, as he told me, that we were abusing him and his papers because he hadn't sustained national preparedness, the fact being that in the early year of this National Security League Mr. Hearst had very fully helped the league in its propaganda for preparedness, and Mr. Hearst complained at the want of fairness that he should be pilloried for that, and Mr. Menken was asked if, in the spirit of fairness, he, too, thought he should be, and Mr. Menken said he didn't think so—he would at once disclaim any such thing. Whereupon the Hearst reporter called upon Mr. Menken, and Mr. Menken gave an interview to the reporter, in which he stated that Mr. Hearst had by the aid of his editorial writers, his cartoonists, and other work been a coadjutor in our work concerning preparedness.

Mr. JOHNSON. Was that statement true?

Mr. LYDECKER. Yes; and then Mr. Menken furthermore, apologetically, stated in his communication—or in his interview—something to the effect that Mr. Hearst's attitude was rather due to the way people looked at him—or at it—than the fact; and that burned into the minds of many people, because Mr. Hearst was being reprobated—and is reprobated—for a mass of material creating class hatred, pacifistic and unpatriotic notions and thoughts, and acts which seem pro-German, and anyone who stood by Mr. Hearst at that moment came under the most severe condemnation in the circles of the National Security League, and Mr. Menken had no intention, in my opinion, of standing by Mr. Hearst in any of those objectionable sayings, but he did actually tell what was true about prior activities, that Mr. Hearst had aided us in the preparedness campaign. Mr. Menken, have I stated this matter correctly?

Mr. MENKEN. I hope to have a chance to testify on it.

Mr. JOHNSON. We will give you an opportunity, sir.

Mr. Browne, will you interrogate the witness?

Mr. BROWNE. What is the official publication of your organization, the National Security League?

Mr. LYDECKER. I don't know of any official publication other than that bulletin that you have.

Mr. BROWNE. Well, you get out a monthly bulletin, don't you?

Mr. LYDECKER. Practically, monthly.

Mr. BROWNE. And is that the only real organ or newspaper that you publish?

Mr. LYDECKER. Yes, sir; I think so. We publish news sheets at times.

Mr. BROWNE. This National Security League Bulletin is supposed to voice the sentiments of the National Security League, isn't it?

Mr. LYDECKER. Yes, sir.

Mr. BROWNE. I want to call your attention first to a statement that you make in this paper. I am reading now from the number

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of September, 1918. This is under your signature and your picture is in front of the article. It says:

A campaign to get the best Congress is in progress. Fusion where serious danger exists, where a soft or too pacifistic, or too extreme, social philosopher shall get into Congress, is urged, and knowledge of those who have failed to stand the test is being disseminated.

Do you remember that speech?

Mr. LYDECKER. Will you permit me to see the paper that you are reading from?

Mr. BROWNE. Yes, sir [handing paper to witness]. I read from this article where it is marked [indicating].

Mr. LYDECKER (after examining paper). Now, will you tell me what the question is?

(The question was read as above recorded.)

Mr. LYDECKER. I remember that writing.

Mr. BROWNE. Does this bulletin go to any persons except the members of the league?

Mr. LYDECKER. Not that I know of. I was told that the copy had been sent to the Members of Congress this week, but I didn't know that.

Mr. BROWNE. How many of these bulletins are issued?

Mr. LYDECKER. I can't tell you. I'll have to rely on the publicity division.

Mr. BROWNE. Do you have any idea?

Mr. LYDECKER. I have an idea—maybe 50,000 or 100,000. I can't tell. Mr. Harvey will tell you, or Mr. West.

Mr. BROWNE. In that statement that was made just before the campaign you indicated that the league and yourself didn't want a too pacifistic Congressman or a social philosopher.

Mr. LYDECKER. Too soft a pacifistic or social philosopher. I did not say we did not want a social philosopher.

Mr. BROWNE. What would you call a "soft social philosopher?"

Mr. LYDECKER. Being the trustee of a college I have quite an acquaintance with professorial minds, and since 1914 have come in contact with some of the social philosophers who are intellectually able but are so theoretical as to be, in my opinion, soft, and in my opinion very foolishly pacifistic when the country is being abused. And I had in mind soft pacifistic social philosophers as men who were thinkers, readers, but had never been trained in any military school, and didn't have anything like the sense of manly independence; and that is the kind of men I meant by soft, pacifistic social philosophers.

Mr. BROWNE. Well, you don't state here "soft or too pacifistic social philosopher." You simply state "a soft or too pacifistic or too extreme social philosopher."

Mr. LYDECKER. Well, then, I used the "soft" or the "pacifistic" as extremes of social philosophers. But I meant what I said.

Mr. BROWNE. In your chart do you indicate in any way that voters could pick out an extreme social philosopher?

Mr. LYDECKER. I don't know.

Mr. BROWNE. Would you consider an extreme social philosopher one that believed in governmental ownership of all public utilities?

Mr. LYDECKER. Why, when Hancock ran for President he said the tariff was a local issue, which was very partly right; and so is mu-

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nicipal ownership; it is a matter to be decided by the particular circumstances of the municipality.

Mr. BROWNE. But I was asking you what your idea is, and I think you could answer that yes or no.

Mr. LYDECKER. I can't answer it yes or no; whether I believe in municipal ownership.

Mr. BROWNE. I didn't ask you whether you believed in municipal ownership. I asked you if you regarded a person who believed in the ownership of public utilities—the Government ownership of public utilities—as an extreme social philosopher. Now, you could answer that yes or no.

Mr. LYDECKER. Not in all cases, no.

Mr. BROWNE. Did you in some cases?

Mr. LYDECKER. I would in some cases, yes; any man that believed universally in the adoption of the universal opinion would, in my opinion, be too extreme a philosopher.

Mr. BROWNE. Would that be an indication that the person was an extreme social philosopher if he did believe in governmental ownership of public utilities?

Mr. LYDECKER. Everywhere and at all times?

Mr. BROWNE. Ordinarily.

Mr. LYDECKER. Well, I didn't say ordinarily.

Mr. BROWNE. I am asking you that question, whether you say it would or would not.

Mr. LYDECKER. Under certain circumstances municipal ownership is all right, and I wouldn't believe a man was too extreme who believed in it.

Mr. BROWNE. I haven't said a word about municipal ownership.

Mr. LYDECKER. Governmental ownership. I will say governmental ownership. I will modify the word "municipal," if desired.

Mr. BROWNE. In this same National Security League Bulletin of September that I just called your attention to, you have an editorial entitled "A Loyal Congressman." In that editorial you state what a loyal Congressman—what qualifications he should have. It says in that editorial, that I am reading from:

> In line with this viewpoint as to the war fitness of a Congressman, the league's congressional campaign committee has just issued a chart giving the record of the votes of all the Members of the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eight principal preparedness and war measures and for the McLemore resolution to the Kahn amendment. The league's committee analyzes the chart by individuals and by States. It shows that of the 374 men who sat in both Congresses only 47 voted right on all eight measures.

Now, furthermore in that article it says:

> These figures clearly indicate that there is decided room for improvement in the present constitution of Congress and make an unanswerable argument for the support of the league's campaign for a 100 per cent loyal Congress by all patriotic citizens, irrespective of politics.

In other words, the league didn't consider a person 100 per cent loyal unless they voted for all the eight measures, did it—voted right on all the eight measures?

Mr. LYDECKER. I didn't write that. I don't know just what the man who wrote it meant, and I don't know what the National Security League as a league means. I can't answer your question more definitely than that.

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Mr. BROWNE. What is your opinion?

Mr. LYDECKER. My opinion is that that was the idea—that the 100 per cent American was impaired if the vote was not on the side that he took.

Mr. BROWNE. Isn't it a fact that the league opposed all Congressmen, where there was any chance for defeating them, that voted against any of those eight measures?

Mr. LYDECKER. Well, the league collected the data to put in the hands of the people to oppose, but the league took no active part in the opposition to any individual. They spoke in a national way.

Mr. BROWNE. In other words, the league didn't shoot the gun, but it furnished the ammunition for others to shoot?

Mr. LYDECKER. Yes.

Mr. BROWNE. Now, I call your attention to a statement which was sent out to many newspapers in regard to the league's activity in the congressional election. I just quote part of it. This is the issue of October 24, 1918.

Mr. LYDECKER. From whom?

Mr. BROWNE. It is copied in the Hannibal County paper, of Missouri:

October 24. An intensive campaign will be waged from now until election by the congressional committee of the National Security League, with 94 congressional districts selected for a concentration of effort. Of the 435 congressional districts, only 165 are classified as closed, and in these districts the league will circulate its charts, giving the records of all these Members of Congress on the eight principal preparedness and war measures, from the McLemore resolution to the Kahn amendment to the conscription act. Of the close districts, 47 have been selected as a proper field for the league's best efforts. There are districts in which Congressmen who voted against these measures have been renominated. Among the voters of these districts the league will circulate copies of the chart and will pay particular attention to the records of the local Member of Congress as shown by his vote on past questions. In addition to showing the records of Congressmen on war questions, as indicated by these votes, the league proposes to exact from candidates pledges demanding unconditional surrender as the only basis upon which negotiations can be based. To obtain the sentiments of candidates on the unconditional-surrender proposition the league has asked all of them to declare themselves. Their answers show that 90 per cent of them favor unconditional surrender as a necessary prelude to peace, while 10 per cent state that they will follow the lead of President Wilson. After taking the poll of the candidates the league wired to President Wilson that 90 per cent of the congressional candidates stood for a complete victory. The league announces that 500,000 of America's leading women have been enrolled to combat any movement toward a premature peace.

Do you remember articles of that kind being circulated and sent out by the league or as editorials?

Mr. LYDECKER. I don't know. I can't tell you what that Hannibal dispatch came from. Apparently it is compiled from data, but who sent it or who composed it I can't tell you. I don't know. The identification of it, undoubtedly, if it came from Mr. Orth's committee will be made by him.

Mr. BROWNE. Well, that was the purport of a great deal of the "boiler-plate" matter that went out from your office in New York City, wasn't it?

Mr. LYDECKER. Well, I think—I can't recall about what the boiler-plate matter said concerning the congressional matter, because there were many other things that were exacting which occupied the minds—I can't tell you, Mr. Browne. I would if I could. I think that they did.

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Mr. BROWNE. Well, in your speech in the September issue of the Bulletin you were giving a good deal of personal attention to the congressional campaign about to take place, weren't you?

Mr. LYDECKER. No. I announced to the members what was going on by the committees, but I wasn't giving, myself personally, attention to the activities of each of the committees. Their chairman did that.

Mr. BROWNE. I show you a publication, the National Security Bulletin. Do you know about that being gotten out [showing a paper to the witness]?

Mr. LYDECKER. Yes.

Mr. BROWNE. What is the date of it?

Mr. LYDECKER. September, 1918.

Mr. BROWNE. In this Bulletin you say:

To elect a loyal Congress.

The league is planning nonpartisan cooperation with the Democratic and Republican congressional campaign committees to secure the election next fall of a Congress pledged to support the war and aid the President in all he plans for its efficient conduct.

You knew you were sending out Bulletins making that statement, didn't you?

Mr. LYDECKER. Pamphlets, you mean, of that character? Yes; those are issued each month, and I knew that they were being issued.

Mr. BROWNE. Now, wouldn't you consider that the National Security League was in politics if it was cooperating with the Democratic and Republican congressional campaign committees to secure the election of Congressmen?

Mr. LYDECKER. No; I would not. That was a war measure.

Mr. BROWNE. You have answered the question. Did the league extend its activities to the weeding out of the professors of the different colleges in the United States?

Mr. LYDECKER. No; I think not. I think no action was made concerning any collegiate members.

Mr. BROWNE. I will read you from the June National Security League Bulletin:

Disloyal college professors ousted by league's efforts.

That is the heading of the article. It says:

The secularization by the league of the principal colleges and universities in the country on the question of the disloyalty of members of their faculties revealed the fact that the taking up of this matter was timely and effective. The league has heard from practically every institution of learning in the United States. A very few seem to resent the idea that the league should question the loyalty of the members of their faculties, but the majority promised active cooperation in weeding out such members of their teaching force as are not enthusiastically supporting America's position in the war, and commended the league for its activity in this direction.

Now, refreshing your memory from that statement, do you wish to change your answer to the questions I just gave you?

Mr. LYDECKER. I think my answer was that I didn't know, and as that was before my presidency, I do not say that it was not done. I hope it was done, but I do not know.

Mr. BROWNE. Well, this was the 18th of June. When was your presidency?

Mr. LYDECKER. The 26th of June.

Mr. BROWNE. You were on the executive committee at that time?

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Mr. LYDECKER. Yes.
Mr. BROWNE. And was taking an active interest in the league?
Mr. LYDECKER. Yes; and I do not say it was not done. I said didn't know of its doing. I know I took a personal part myself one instance, not as a league member.
Mr. BROWNE. Well, you have answered the question. Does the ague make out the budget of what the expenses are going to be in ivance of incurring their expenses?
Mr. LYDECKER. Not actually—tentatively.
Mr. BROWNE. Well, any way?
Mr. LYDECKER. Tentatively. I answer you tentatively.
Mr. BROWNE. Well, most budgets are tentative, aren't they? They re not absolute.
Mr. LYDECKER. I will not say that they are not absolute in some ases.
Mr. BROWNE. Well, did they make out a tentative budget?
Mr. LYDECKER. Yes.
Mr. BROWNE. Did you assist in making that out?
Mr. LYDECKER. In only one instance.
Mr. BROWNE. What year was that?
Mr. LYDECKER. This year.
Mr. BROWNE. Who else assisted you in making that out?
Mr. LYDECKER. That was solely a budget concerning the organized ducation, or the patriotism through education committee.
Mr. BROWNE. That was one item in your general budget?
Mr. LYDECKER. No; that was the only budget that I had anything o do with.
Mr. BROWNE. Well, who assisted you in making that budget?
Mr. LYDECKER. Dr. McElroy and Mr. Lloyd Taylor.
Mr. BROWNE. And that was only in what branch of your work?
Mr. LYDECKER. Educational institutions.
Mr. BROWNE. It didn't include anything on congressional work?
Mr. LYDECKER. Nothing at all.
Mr. BROWNE. Well, now, how much was that tentative budget? low much did it aggregate?
Mr. LYDECKER. My recollection was that for the three months end- ig in September it was $27,000 and some odd.
Mr. BROWNE. Well, did you make any budget out for the year?
Mr. LYDECKER. No.
Mr. BROWNE. Now, I wish to read you a statement, the same state- ent that I just showed you—called your attention to—of Septem- er, that you identified as being one of your publications. On the st page it says:

The measure of the league's success in all the broad work above outlined de- nds upon its having sufficient money to plan its work in advance and carry it rward on a budget system. The budget prepared indicates that the approxi- ate cost of the work will be $1,200,000 per annum.

How do you reconcile that statement in your official publication ith your answer to my question?
Mr. LYDECKER. The statement that you have just read was not lled to my attention until some time after my presidency; and that aper, which was prepared, as these pamphlets which you are reading om, by Mr. Henry L. West, the executive secretary, being called to

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my attention, I asked him what that meant, and he told me that that had been stated in this account of the league's work for a number of months, and hadn't been changed, being a set of figures that had been made up for the purpose of showing some people—I don't know whom—what use could be made in our educational work by carrying out the certain plan that was then in mind. I have since then received that paper, which I never saw until a day or two ago. I immediately said I never knew of any such budget of $1,200,000, and we never had any such budget, but, as stated by Mr. West, a budget was prepared to show what money could be spent in proposed educational campaigns, which related to nothing at all in the way of these activities of Congress or the military training. It was a proposal for an educational campaign through the United States, representing all the schools—elementary, high schools, colleges, universities, speakers in all the various churches, commercial organizations, labor organizations and others, lyceums, chautauqua meetings. It was an ambitious scheme that was never carried out at all.

If the gentleman desires to see this proposed budget, I will be very glad to have it in evidence.

Mr. BROWNE. Then, the statement that you made in your exhibit, the separate issue of the pamphlet that I just called your attention to in regard to the budget prepared, indicates that the approximate cost of the work will be $1,200,000 per annum, is not true, is it?

Mr. LYDECKER. I said it was true.

Mr. BROWNE. You had a budget, then, of that amount?

Mr. LYDECKER. Somebody has made up a budget?

Mr. BROWNE. Well, where is that budget now?

Mr. LYDECKER. I have offered it to you. There it is in the hands of Senator Harrison. [Mr. Harrison handed the paper to Mr. Browne.] I will ask that that be put in evidence.

Mr. BROWNE. Who prepared this, do you know; this tentative budget that you speak of?

Mr. LYDECKER. I don't know, but I think Dr. McElroy prepared it, our educational director.

Mr. BROWNE. I notice you say in that as one of the items, "Patriotic meetings. Two hundred meetings in each State (9,600), at $20 each, $192,000." Did you pay any of the speakers for these patriotic meetings, or did you propose to?

Mr. LYDECKER. Our campaign, patriotism through education, has been carried on long subsequent to the preparation of that tentative budget, and we have paid speakers for going to distant places and speaking, but as a rule only their traveling expenses. That estimate of $20 is a very moderate one, if that campaign had been carried on on the scale they had then thought of, but it never was.

May I have a ruling on the question of the admission of that, Mr. Chairman?

Mr. BROWNE. We would like to have that, I think, Mr. Chairman, put in as a part of the record.

Mr. JOHNSON. The stenographer will insert this tentative budget at this point in the record.

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(The paper referred to follows:)

BUDGET FOR PROPOSED EDUCATIONAL CAMPAIGN OF THE NATIONAL SECURITY LEAGUE.

Educational work:	
Directorship, office force, and postage	$15,000
Ten supervisors of districts, delegated by universities, averaging nearly five States to each district, with traveling expenses, offices, telephone and telegraph, and miscellaneous expenses	35,000
Work in colleges and universities (568)	50,000
Work in elementary and high schools (approximately 15,000)	150,000
Printing and distribution of literature:	
Printing, at $850 per week	44,200
Parcel post and expressage, at $200 per week	10,400
Patriotic meetings:	
Two hundred meetings in each State (9,600), at $20 each	192,000
NOTE.—This estimate is very low, but it is planned to have the meetings financed by each locality to the largest extent possible.	
Printing 10,000,000 pieces of literature for distribution at each meeting, an average of 1,000 per meeting	90,000
Lyceum and Chautauqua meetings	25,000
Publicity:	
Directorship and clerical help	10,000
Ready-made plate service to 10,000 small daily and county-seat weekly papers to reach rural population, one column in each paper every week	160,000
NOTE.—These papers would reach 10,000,000 heads of families or 50,000,000 readers each week.	
Weekly news letters to 1,500 dailies	4,500
Editorial service to 1,000 papers	5,000
Cartoon service and plates	10,000
Foreign-language service and plates, including payment of linguists	20,000
Preparation and distribution of matter for farm, labor, and trade journals	10,000
Propaganda work to reach 25,000,000 people	300,000
NOTE.—The propaganda work should be done through moving pictures, churches, commercial organizations, labor organizations, women's organizations, secret organizations, etc.	
There are 180,064 ministers in the United States and postage alone on one letter to each of these ministers would cost nearly $5,500. Printing and addressing would cost $10,000 additional.	
State organizations:	
The organization should be based upon State units and congressional districts, but the organizers, as far as possible, should be volunteers.	
Traveling expenses, postage, and miscellaneous expenses for 48 States	48,000
Executive:	
Directorship, office force, rent, telephone, telegraph, and miscellaneous expenses	20,000
Postage, general printing, traveling, etc	10,000
Total	1,209,100

Mr. BROWNE. I notice on your statement of principles that your attention was called to this yesterday. You say:

> The National Security League is supported by small contributions from the public. It is not endowed, and finds that the work of raising sufficient funds for the distribution of its literature is a matter of most serious difficulty. All those who believe in forwarding its work are earnestly urged to support it and aid in securing new members.

How much has been raised by membership contributions, dues, etc., in this organization?

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Mr. LYDECKER. Suppose you give me the auditor's reports since the beginning of the league until the present minute, which states the receipts, donations, membership fees, annual, life, branches, contributing, renewals, sales of books, posters, rolls, educational work, bank interests and general, and list of disbursements.

Mr. BROWNE. Have you any knowledge of that yourself, without looking at the auditor's notes, in a general way?

Mr. LYDECKER. Only in a general way, since my presidency. I can't swear to the accuracy of Marvin, Mitchell, Peat & Co.'s audit, but as they are among the best auditors in the United States I rely upon it.

Mr. BROWNE. Well, what bank does the National Security League do business with in New York City?

Mr. LYDECKER. The Guaranty Trust Co.

Mr. BROWNE. That is the only banking institution that you do business with in New York?

Mr. LYDECKER. I don't know whether there is a petty cash account uptown or not. Our main funds are all in the Guaranty Trust.

Mr. BROWNE. All the funds of the National Security League eventually get into that bank that you speak of?

Mr. LYDECKER. The funds are invested to the extent of $25,000 in liberty bonds. The cash of the league is in the Guaranty Trust Co.

Mr. BROWNE. Do you have any safe deposit boxes in any of the banks where you have papers or books?

Mr. LYDECKER. No, sir; I think not.

I would like to offer to you the financial statement of the National Security League from the date of its organization to the conclusion of the last audit, showing the receipts and the various items of the receipts and the disbursements, and the various items of those disbursements, showing the total receipts since the beginning of $619,165.28, and disbursements of $521,678.10; and showing nearly 2,000,000 pieces of literature having been distributed since January 1st, 1918.

Mr. BROWNE. Now, how much of that aggregate amount that you have received there came from——

Mr. HARRISON (interposing). I move that this be admitted, provided they give us permission to look into their books and papers.

Mr. LYDECKER. Absolutely, every card, paper, book, and voucher is at your disposition.

Mr. REAVIS. May I look at that, Mr. Witness?

[The witness handed a paper to Mr. Reavis.]

Mr. BROWNE. I wanted to ask you a question there. The question I wanted to ask was for you to pick out from that statement how much of that aggregate amount was received by dollar or five-dollar subscriptions—dollar subscriptions first.

Mr. LYDECKER. Well, I am able to answer you at this moment only as to that analysis. In a statement that I have of receipts for the six months, March, April, May, June, July, August, and September—if you will let me read them, you will get the idea.

Mr. BROWNE. How much in those three months?

Mr. LYDECKER. Six months. The donations amounted to $144,496.76; the founders amounted to $1,100; life memberships, $2,750; contributing memberships, $1,654; annual memberships, $4,974; war service, $346; received from branches, $1,237.08; sales, $1,457; con-

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gressional campaign, $2,486.10. That was in all respects outside of any of these educational donations—purely its own matter. Executive committee assessments, $280; educational work, $18,260; miscellaneous, $5,614.25; renewals, $12,023.10; proceeds of special luncheon, $1,525, making total receipts for those six months of $198,203.55. And if the committee will receive that I will be glad to file it.

Mr. HARRISON (in the chair). That can be incorporated in the record.

(The paper referred to follows:)

National Security League (Inc.), 19 West Forty-fourth Street, New York City—Receipts for six months, 1918.

	March.	April.	May.	June.	July.	August.	Total.
Donations	$2,894.97	$80,156.00	$4,093.04	$2,569.15	$4,691.00	$50,092.60	$144,496.76
Founder	300.00	200.00	200.00	300.00	100.00	.....	1,100.00
Life	625.00	1,175.00	300.00	300.00	200.00	150.00	2,750.00
Contributing	440.00	480.00	279.00	215.00	125.00	115.00	1,654.00
Annual	724.00	1,438.00	876.00	633.00	463.00	840.00	4,974.00
War service	.....	74.00	272.00	.....	.....	.....	346.00
Branches	137.25	210.38	44.75	350.00	277.93	216.77	1,237.08
Sales	256.06	266.23	169.76	267.23	448.26	49.72	1,457.26
Congressional campaign	.....	.....	.....	.....	585.00	1,901.10	2,486.10
Executive committee assessments	.....	.....	.....	.....	180.00	100.00	280.00
Educational work	1,100.00	8,625.00	2,475.00	2,320.00	3,520.00	220.00	18,260.00
Miscellaneous	2,073.52	139.08	1,172.25	711.77	1,150.10	367.53	5,614.25
Renewals	2,993.00	2,819.00	2,305.00	1,725.00	1,152.00	1,029.10	12,023.10
Special luncheon	.....	1,525.00	.....	.....	.....	.....	1,525.00
Total	11,543.80	97,107.69	12,186.80	9,391.15	12,892.29	55,081.82	198,203.55

Mr. LYDECKER. May I now pass over this?

Mr. HARRISON. I would suggest, after Mr. Browne has finished questioning, then we can decide from the nature of your testimony what we desire to go in.

Mr. LYDECKER. It is a matter entirely at the convenience of the committee.

Mr. BROWNE. Did you have any office in Washington where you sent out literature?

Mr. LYDECKER. Not that I know of.

Mr. BROWNE. All of your literature that you circulated was sent out from New York City?

Mr. LYDECKER. Came from 19 West Forty-fourth Street, New York City.

Mr. BROWNE. Are you acquainted with Millett Spooner, a member of your executive committee?

Mr. LYDECKER. Yes.

Mr. BROWNE. How long have you known him?

Mr. LYDECKER. I think I have known him for two or three years. I think he was one of our earliest.

Mr. BROWNE. Has he met with you frequently—with your executive committee when it met?

Mr. LYDECKER. Not very frequently. He may have been in New York from time to time. I have met him in Chicago and met him in New York.

Mr. BROWNE. Do you know whether he started any branches in Wisconsin?

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Mr. LYDECKER. No; I do not know whether he did. I know we have had a branch at Wisconsin.

Mr. BROWNE. How many branches did you have in Wisconsin?

Mr. LYDECKER. That I do not know.

Mr. BROWNE. Have you got anything there to refresh your memory and tell us?

Mr. LYDECKER. Yes. [After examining papers.] One branch at Milwaukee, Wis.

Mr. BROWNE. What membership; does it state there?

Mr. LYDECKER. This statement here indicates 2,231.

Mr. BROWNE. Two thousand two hundred and thirty-one members.

Mr. LYDECKER. Yes; chairman, Mr. Vogel.

Mr. BROWNE. Do you know Mr. Vogel?

Mr. LYDECKER. I think I met him in Chicago for a short time.

Mr. BROWNE. Cashier of the First National Bank of Milwaukee, isn't he?

Mr. LYDECKER. I do not know. The gentleman's responsibility I was assured of.

Mr. BROWNE. Mr. August H. Vogel?

Mr. LYDECKER. Yes, sir.

Mr. BROWNE. Mr. Spooner is a corporation lawyer, isn't he?

Mr. LYDECKER. I do not know, Mr. Browne.

Mr. BROWNE. Did your league take part in the Mitchell campaign for mayor of New York City?

Mr. LYDECKER. No, sir.

Mr. BROWNE. Are you acquainted with Cleveland Dodge, of New York?

Mr. LYDECKER. I am not personally acquainted with him.

Mr. BROWNE. Do you know whether he has been a contributor to the National Security League or not?

Mr. LYDECKER. No: I can not answer that question.

Mr. BROWNE. Had he made any contribution of any size you would have known it, wouldn't you?

Mr. LYDECKER. He has not within the period of my presidency.

Mr. BROWNE. You spoke about the Carnegie Corporation contributing $150,000.

Mr. LYDECKER. Yes; $100,000, with a promise of fifty more.

Mr. BROWNE. It made it a contribution of $150,000 and paid $100,000, and was ready to pay the other fifty at any time you wanted it; is not that a fact?

Mr. LYDECKER. The letters I read said the moneys would be paid in accordance with the convenience of the corporation. We have had but one hundred of it.

Mr. BROWNE. Who is the president of the Carnegie Corporation?

Mr. LYDECKER. That I can not answer at this minute. The gentleman who I have known is Mr. Bertram, who I think is manager.

Mr. BROWNE. Is Elihu Root vice president, and one of the directors?

Mr. LYDECKER. I do not know. I think he is a director.

Mr. BROWNE. The Carnegie Corporation is incorporated for $125,000,000, isn't it?

Mr. LYDECKER. That I do not know. I think it is the holding corporation for the Carnegie benefits.

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Mr. BROWNE. And its assets consist largely of stocks in the United States Steel Co., do they not?

Mr. LYDECKER. I never had any opportunity of knowing what assets they had, or what they had them in.

Mr. BROWNE. Is E. H. Harvey in charge of any part of your literary propaganda that you send out?

Mr. LYDECKER. Yes; he is the publicity director.

Mr. BROWNE. Did he have anything to do with the getting out of this security league bulletin?

Mr. LYDECKER. Yes; I think he has most all to do with it.

Mr. BROWNE. Have you seen a publication of Mr. Harvey's named The War Review Issue, or something similar to that?

Mr. LYDECKER. No.

Mr. BROWNE. You have not seen any publication of that kind?

Mr. LYDECKER. No. What Harvey?

Mr. BROWNE. Do you know of any publication that Mr. Harvey gets out except these contributions to the security league bulletin?

Mr. LYDECKER. Yes; these bulletin sheets; these bulletin sheets which are gotten out, which are news sheets.

Mr. BROWNE. And that comes out in the security league's bulletins?

Mr. LYDECKER. Yes; released from time to time, as it is called.

Mr. BROWNE. Have you any of those leaflets here? One of your last ones?

Mr. LYDECKER. Mr. West, have you any of those? Mr. Harvey, have you any of those? May I correct the testimony about Cleveland Dodge, on the information of Mr. West, which I did not know; that he has recently (I do not know how recently) contributed $100 to the league?

Mr. BROWNE. Has anyone contributed any of this boiler-plate matter, the circulation of it, and the cost of it?

Mr. LYDECKER. I do not understand what you mean. Has anybody contributed——

Mr. BROWNE. Paid for it, outside of contributing any money to the league? Have they furnished you with that?

Mr. LYDECKER. Whether we have paid for any of the boiler-plate material?

Mr. BROWNE. No; whether any person has contributed, has paid for it himself and given it to the league.

Mr. LYDECKER. Nobody has ever given anything to the league and paid for the privilege of doing so, to my knowledge.

Mr. BROWNE. No; I do not mean that.

Mr. LYDECKER. And nobody has been paid by the league for giving any matter that went into boiler plate, so far as my knowledge goes.

Mr. BROWNE. My question was whether anybody—any person or corporation—had furnished the boiler plate; not the reading matter, but simply the material; the boiler plate that was sent out to these 1,400 or 1,500 newspapers throughout the Unitted States.

Mr. LYDECKER. Furnished the material that was sent out?

Mr. BROWNE. Yes.

Mr. LYDECKER. Do you mean the printed matter?

Mr. BROWNE. No; you furnished the printed matter and they furnished the mechanical part of it—the metal and all the work.

Mr. LYDECKER. We have to pay to have the boiler plate made.

Mr. BROWNE. Yes.

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Mr. LYDECKER. And the money that has been used to pay for th boiler plate has been in great part contributed for that purpose.

Mr. BROWNE. Has anybody, in other words, made you any contri bution other than cash?

Mr. LYDECKER. Is that all your question?

Mr. BROWNE. Yes.

Mr. LYDECKER. We have many contributions of literature of al kinds—Gertrude Atherton, George Ade——

Mr. BROWNE. You have given that.

Mr. LYDECKER. I have given that.

Mr. BROWNE. Anything else?

Mr. LYDECKER. I do not know of anything. I do not know of any thing that hase been given of a material kind, other than cash tha you say. I don't know what you refer to. No bonds, no stocks, n furniture, no automobiles—nothing that I know of.

Mr. BROWNE. Did you have to pay these country newspapers tha published this boiler-plate material that you sent them?

Mr. LYDECKER. Pay them?

Mr. BROWNE. Yes.

Mr. LYDECKER. Never. And we never sent that to any who had no asked us for it.

Mr. BROWNE. You did not ask them the privilege of printing it?

Mr. LYDECKER. No. I do not think we did. I think that if any man wants it and writes and asks for it, or if he does not write, if he does not want it, if he is not a requester, he does not get it. That is my understanding. May I hand you these news sheets that you asked for?

Mr. BROWNE. Yes.

Mr. LYDECKER. There are a few [handing papers to Mr. Browne].

Mr. BROWNE. Do you know of any effort of the league in the spring of 1918 to have all the war work put under one head and prac tically unified?

Mr. LYDECKER. I will have to ask to have that question read. I did not catch that.

The STENOGRAPHER (reading). "Do you know of any effort of the league in the spring of 1918 to have all the war work put under one head and practically unified?"

Mr. LYDECKER. Do you mean in the Security League?

Mr. BROWNE. Yes.

Mr. LYDECKER. No.

Mr. BROWNE. You did not know of any letters or propaganda going out to that effect?

Mr. LYDECKER. I did not. All of our work was war work, I think, or was so regarded.

Mr. BROWNE. I mean the war work of the Nation.

Mr. LYDECKER. Any effort on the part of the Security League to secure a unification of the war work of the Nation under one head?

Mr. BROWNE. Yes.

Mr. LYDECKER. I do not know of any such movement or proposed movement in the Security League.

Mr. BROWNE. Were you at a banquet where Senator Chamber lain spoke?

Mr. LYDECKER. I was.

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Mr. BROWNE. Well, soon after that, wasn't there an effort made on the part of the league to have the war work unified, and the Secretary of War and the Secretary of the Navy, their work, put under one head?

Mr. LYDECKER. Not to my knowledge.

Mr. BROWNE. You knew nothing then of that movement?

Mr. LYDECKER. Nothing that ever came to my attention or in which I in any way participated.

Mr. BROWNE. I read you from a letter, February 8, 1918. It says:

DEAR SIR: I beg to advise you that at a meeting of the executive committee of the National Security League to-day (that is Feb. 8, 1918) the following resolution was adopted:

"*Resolved*, That the National Security League respectfully urges upon Congress the enactment of a law which will coordinate under one head during the present war, the various bureaus and organizations now working independently through the State Department, Treasury Department, Department of Justice, Post Office Department, War Department, Navy Department, and other departments of the Government in the matter of espionage, and which will place all of these activities under one head to be appointed by the President of the United States and to be responsible solely to him."

In accordance with the suggestion of the committee, I beg to invite your attention to this resolution and suggest that you give the enactment of the proposed law your earnest consideration.

Mr. LYDECKER. Signed by whom?

Mr. BROWNE. Signed by "Yours, very truly, Herbert Barry, Secretary."

Mr. LYDECKER. Well, I admit that I have no recollection of that activity. There have been various matters proposed and discussed, but I never recall that the executive committee had adopted such a resolution, if it did. And undoubtedly Mr. Barry would not write it if they had not, or that any action was taken or any activity pursued. I think Mr. Barry went, I think, in the Army right after that.

Mr. BROWNE. Did not the National Security League make an attack through the newspapers and their propaganda upon Secretary of War Baker immediately after that meeting at which Senator Chamberlain made his famous speech?

Mr. LYDECKER. I do not think so. Mr. Baker has always been a personal friend of mine and I participated in no attack on him.

Mr. BROWNE. Yes.

Mr. LYDECKER. I do not know what you refer to.

Mr. BROWNE. Would the fact that you were a personal friend of the Secretary of War make any difference with the league in whether it would make an attack on the Secretary of War in his administration?

Mr. LYDECKER. I meant to indicate that it would make a difference in my memory. I do not think the league would depart from any purpose that they regarded as patriotic because of any personal relations with anyone.

Mr. BROWNE. Well Senator Chamberlain made a very strong attack upon the Secretary of War in that speech at that banquet which you attended, didn't he?

Mr. LYDECKER. Well, he made a very pointed speech in regard to war activities at that time.

Mr. BROWNE. Yes.

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Mr. LYDECKER. I do not know it pointed against Mr. Baker, but——

Mr. BROWNE. He stated in that speech that we had no War Department in fact or that the War Department had ceased to function, didn't he?

Mr. LYDECKER. I think that is what he said. The league was not in any way responsible for what he said at that time.

Mr. BROWNE. No. But they commended him, though, in his statement, didn't they?

Mr. LYDECKER. If you will show me any paper, I can answer you. I can not recall any paper. My participation in the affairs at that time was not as active as they have been since June and July.

Mr. REAVIS. I would like to have the reported read the question and answer where he said Secretary Baker was a personal friend of his.

The STENOGRAPHER (reading):

"Didn't the National Security League make an attack through the papers and their propaganda upon Secretary of War Baker immediately after that meeting at which Senator Chamberlain made his famous speech?"

"I do not think so. Mr. Baker has always been a personal friend of mine, and I participated in no attack on him."

Mr. BROWNE. Now, in regard to your questionnaire, to which your attention has been called on several occasions, is it your idea that the purpose of this questionnaire, asking Congressmen how they stood on the various questions, was for the purpose of obtaining information so that the league could go into their congressional districts and either help them or oppose them for election?

Mr. LYDECKER. I can say that I refer you to Mr. Auth as to the reason, because there was no reason in it that I had. It was prepared by the committee, and their reasons were——

Mr. BROWNE. I am asking you what your reason was.

Mr. LYDECKER. I did not have a reason, because I was not the one that prepared it. I nominally approved the action of the committee in seeking the information they sought, but as to the——

Mr. BROWNE. Is it your idea that it is the intention of the league to go on and issue other charts similar to the chart that has been introduced here regarding Congressmen and their attitude on universal military training and other questions that you asked them about in this questionnaire?

Mr. LYDECKER. I do not know. I am a humble member of this league.

Mr. BROWNE. You are the president?

Mr. LYDECKER. Yes; I am to-day. I may not be in the future.

Mr. BROWNE. And a member of the executive committee?

Mr. LYDECKER. Yes.

Mr. BROWNE. And one of the organizers of the league?

Mr. LYDECKER. As for keeping in mind the way in which Congress or Congressmen vote or act, I believe it is the privilege of the league to do so.

Mr. BROWNE. You now have over 40 United States Senators committed on the proposition of universal training, haven't you?

Mr. LYDECKER. I think something like that number have indicated their approval of the general idea.

Mr. BROWNE. Well, upon questionnaires or questions being submitted to them by your National Security League?

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Mr. LYDECKER. I believe so.

Mr. BROWNE. Do you think that we will obtain better legislation if Members of Congress, Representatives, and United States Senators, commit themselves on public questions before they have heard a fair discussion upon those questions?

Mr. LYDECKER. No.

Mr. BROWNE. And before the committees have made reports upon them?

Mr. LYDECKER. No. I do not think that a man saying he is in favor of universal training or military instruction commits him to anything. It is an indication. And I supposed that the way our Government was run that Congressman always enjoyed hearing what the views of the people were.

Mr. BROWNE. Yes.

Mr. LYDECKER. There are two views. One is that the Congress must originate everything; the other is they must meet the demands. Mr. Wilson in his speech on the 27th of September said that "You must all be leaders in thought."

Mr. BROWNE. And now is your questionnaire in harmony with your impression, with the sentiments you are just voicing?

Mr. LYDECKER. Yes.

Mr. BROWNE (continuing). When you said in your questionnaire "Will the candidate pledge himself to be an advocate of peace with victory, by which it is meant a vigorous prosecution of the war until Germany, Austria, and Turkey concede the terms of the allies?" You state in that clearly you want the candidate to pledge himself?

Mr. LYDECKER. Well, that was a war measure.

Mr. BROWNE. Then you wish to qualify your answer to my last question do you not?

Mr. LYDECKER. That it is not wise for him to pledge himself as a general principle?

Mr. BROWNE. Yes.

Mr. LYDECKER. We put the specific question in time of war. I should say that I might feel very differently now. I do not object to that question in that questionnaire at the time it was issued.

Mr. BROWNE. Do you see any threat in the statement that you put in this questionnaire that "If replies are not received equal to mail time, plus 10 days, it will be regarded as a declination to respond, in which case the committee will send copies of the questionnaire to the opponents of such candidates?

Mr. LYDECKER. I can not imagine Congressmen being threatened any more than I could be threatened myself in the performance of a duty.

Mr. BROWNE. This National Security League started out, you claim, and was organized for patriotic purposes, and for education along the line of good citizenship and patriotism?

Mr. LYDECKER. Yes, sir.

Mr. BROWNE. And don't you think that you have gone quite afield of the original purpose when you go out and talk about social philosophy and all those different public questions that you are asking or interrogating Congress about?

Mr. LYDECKER. We did not think so in time of war.

Mr. BROWNE. Well, since the war you have gotten out a good many questions in regard to how——

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Mr. LYDECKER. I did not know it.

Mr. BROWNE. In your last bulletin, the December bulletin, don't you advocate certain legislation outside of any war matters?

Mr. LYDECKER. You asked me about questioning; you did not ask me about advocating any measures.

Mr. BROWNE. Well, your league is going to continue, as I understand, in sending out propaganda and speakers and working in other legislative matters outside of all war and patriotic activities.

Mr. LYDECKER. Well, we think the war is about over.

Mr. BROWNE. Yes; and you are going to continue your organization?

Mr. LYDECKER. And we believe patriotic endeavors are still the duty of patriotic citizens.

Mr. BROWNE. Yes. And on the reconstruction problems you are working on, aren't you?

Mr. LYDECKER. Well, I do not believe in the word "reconstruction." I do not think that reconstruction is the duty of everybody, because reconstruction involves tearing down.

Mr. BROWNE. I did not ask you your opinion; I am asking you about reconstruction, or you can call it "readjustment," all these new problems coming up after the war; you propose to have the league, with its large organization and financed as it is, go in upon all those activities and continue its active operation upon them?

Mr. LYDECKER. I hope it will go in upon some of them. It can not possibly go in upon all of them.

Mr. BROWNE. In other words, you feel that your league and its officers in New York City can study these questions and submit facts and opinions and charts to voters of the country and assist them very materially in casting their ballots?

Mr. LYDECKER. We hoped that it might be useful and be desired by Congressmen as well as others.

Mr. BROWNE. And you propose to be as fair in the future as you have been in the past in making your charts, do you?

Mr. LYDECKER. We hope to be as fair as our intentions expressed here are.

Mr. BROWNE. And in your chart that you have already exhibited, you only found that 47 Congressmen out of 343 were 100 per cent loyal, according to your statements and your articles in your bulletin?

Mr. LYDECKER. I hardly think we have said there were 47 per cent, or 47 only who were loyal, or that all the rest were disloyal. I do not think we have ever said that.

Mr. BROWNE. You said there were only forty-seven 100 per cent Americans, haven't you?

Mr. LYDECKER. One hundred per cent Americans; yes; according to the standard——

Mr. BROWNE. And you would not want to vote for anyone who was not 100 per cent American, would you?

Mr. LYDECKER. Oh, yes; I might easily. There are many men who change their views and who come out and express a very different notion now.

Mr. BROWNE. But you would have to change your views to vote for anyone who was less than 100 per cent American, according to the league's marking?

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Mr. LYDECKER. Oh, no; I would not. He might have an opponent who was very far below, according to my opinion, in his Americanism.

Mr. BROWNE. In your National Security League Bulletin that I called your attention to, of September, editorially your bulletin states:

> The league committee analyzes the chart by individuals and by States. It shows that of the 374 men who sat in both Congresses only 47 voted right on the eight measures.

And then it goes on and says:

> These figures clearly indicate that there is decided room for improvement in the present constitution of Congress and make an unanswerable argument for the support of the league's campaign for a 100 per cent loyal Congress by all patriotic citizens, irrespective of politics.

Now, is not that as strong a statement as possible to voters not to vote for any of the men who sat in that Congress except the 47?

Mr. LYDECKER. I do not think so. I think anyone would be very sensitive who felt that if he fell anywhere below 100 per cent that he was tabooed. It is an indication of the mental attitude of those men. They may have changed their views entirely and they might tell their constituents so, and might be entirely believed and might be returned as they have been.

BROWNE. What would you think of marking a woman less than 100 per cent on her virtue?

Mr. LYDECKER. On her virtue?

Mr. BROWNE. Yes; marking her less than 100 per cent.

Mr. LYDECKER. I do not think there is much comparison between the virtue of a woman and her reputation and the loyal Congressman and his reputation.

Mr. BROWNE. Don't you think that the loyalty of a man in time of war is a matter that is as delicate and is of as much importance to him as the virtue of a woman is to her?

Mr. LYDECKER. Well, it ought to be; but I do not think it is, quite; because there is a divergence of views concerning measures of national action which admit of different construction from that of the virtue of a woman.

Mr. BROWNE. Well, if your league took any different attitude, had any different attitude, toward those Congressmen than is clearly expressed here, wouldn't it except some of those measures and say a man could be 100 per cent loyal and yet vote for some one of those eight measures differently than what he ought?

Mr. LYDECKER. Well, I answered that, I think, before. I can not change my answer.

Mr. BROWNE. But is not my statement of that a fair inference of your article, your editorial in this paper that goes out to all your members all over the United States, in regard to your markings of those Congressmen, and in the statement that only 47 voted right and the others voted wrong, and then stating that you are pursuing a campaign for a 100 per cent loyal Congress?

Mr. LYDECKER. I think the aim and purpose of the league most clearly expressed, and I think it is an extremely critical view and sensitive view to say that a man considers himself accused of disloyalty because he did not vote for all eight of those measures. There is always a locus penitentia; there is also always an opportunity of

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explaining, but the record is made there and is published in good faith.

Mr. BROWNE. Well, you stated a few minutes ago that you reserved the right to change your mind upon it, but that you would not want to vote for a person who was not 100 per cent loyal if you could get anyone else.

Mr. LYDECKER. Not if I could anyone who was.

Mr. BROWNE. No.

Mr. LYDECKER. And I did not attempt to judge——

Mr. BROWNE. And the person without any record, who was not a sitting Congressman, but was a candidate, it would be a difficult thing to show whether he was 100 per cent loyal or not, wouldn't it?

Mr. LYDECKER. In what community?

Mr. BROWNE. In any community.

Mr. LYDECKER. I do not think so. I think a man's reputation in a community is made by his acts, by his words, and his life; not alone in Congress, but everywhere.

Mr. BROWNE. Well, you state in another bulletin here of the good results that you are getting from your propaganda that you are sending out. Do you remember of some articles in the bulletin along those lines?

Mr. LYDECKER. Will the gentleman read what he is referring to?

Mr. BROWNE. Well, you read these bulletins, don't you, yourself?

Mr. LYDECKER. Oh, yes. I look it over. I do not read it entirely. I know practically what is in it. I do not prepare it.

Mr. BROWNE. But you read every issue that comes out, don't you?

Mr. LYDECKER. Oh, I think I do, in great part.

Mr. BROWNE. Now, in the September issue, with your picture in it—you read that, of course, didn't you?

Mr. LYDECKER. No more closely than any other. My picture being in it was not my act.

Mr. BROWNE. Now, right on the opposite page it says: "League congressional campaign obtaining gratifying results," and states:

> Gratifying results are being obtained by the league's congressional committee, which is prosecuting an aggressive nonpartisan campaign in all parts of the country to insure the election to Congress this fall of men of demonstrated loyalty and ability.

Now it says:

> The committee has circulated widely a chart giving the record of the votes of all the Members in the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eight principal preparedness and war measures which is attracting a deal of attention and favorable comment. A questionnaire is also being sent to all the new nominees for Congress asking them for an expression of their war views. The replies will be circulated in their districts. To complete this information and service for voters the committee is now preparing a chart giving a record of the votes on preparedness and war measures of the Senators who are seeking reelection this year. Prominent citizens in all walks of life in practically every State in the Union have written the league commending it for this effort.

Now, would not that indicate that this chart you were sending out, and your statements about it, was for the result that members of this committee claim, of defeating Congressmen, all the Congressmen except the 47 who voted according to what the league thought was right?

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Mr. LYDECKER. I think it says it was attracting the attention of men in all walks of life. If that resulted in the defeat of any candidate because attention was called to him, I think it was a perfectly proper thing.

Mr. BROWNE. What does the heading of this article, "League congressional campaign obtaining gratifying results" mean? Do you mean to give this committee the impression that the league simply wanted to have the people talk about it or get some direct results by defeating Congressmen?

Mr. LYDECKER. Wanted to get some direct results in insuring the election of 100 per cent Americans.

Mr. BROWNE. Yes; and in doing that to defeat practically all the Congressmen except the 47 who had a 100 per cent record, didn't it?

Mr. LYDECKER. It don't say so; I do not think it necessarily meant so. It is a matter of opinion.

Mr. BROWNE. And yet you want to say and have stated here repeatedly that you thought that all but a very small minority of Congress, of this Congress and the last one, were loyal and patriotic in every way, were good Congressmen, and commended this Congress, this war Congress, as a whole, very strongly, haven't you?

Mr. LYDECKER. I have said so. I have said practically that.

Mr. BROWNE. And yet your official league paper goes out with this statement that I read.

Mr. LYDECKER. As to the 100 per cent men that you refer to.

Mr. BROWNE. Yes; practically condemning all the Congressmen except the 47.

Mr. LYDECKER. Well, that is a conclusion that I do not think necessarily follows.

Mr. BROWNE. That is all.

Mr. HARRISON. I want to ask you a question or two. I won't take long, because I know you are tired.

Mr. LYDECKER. No; I am not tired.

Mr. HARRISON. Mr. Stimson was, as I understand, chairman of your congressional committee or your expert on preparedness for the Army?

Mr. LYDECKER. No.

Mr. HARRISON. And Mr. Myer was your expert on the Navy, as I understand?

Mr. LYDECKER. No. Mr. Stimson's activity was when we were engaged in a war of preparedness, and he was the chairman of the committee on the regular force and not of the militia.

Mr. HARRISON. In other words, you got his views on preparedness measures?

Mr. LYDECKER. On the preparedness measure and the situation concerning preparedness measures.

Mr. HARRISON. Now, Mr. Stimson was in Mr. Taft's administration as Secretary of War for a while?

Mr. LYDECKER. Yes.

Mr. HARRISON. I have forgotten how long; do you remember?

Mr. LYDECKER. I don't know whether Mr. Taft's or Mr. Roosevelt's. I think it was both.

Mr. HARRISON. Both. And Mr. Myer, he was Secretary of the Navy under Mr. Roosevelt.

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Mr. LYDECKER. Under Roosevelt.

Mr. HARRISON. And your object was, and Mr. Myer's and Mr. Stimson's was, to get great appropriations for the Navy and for the Army to put the country in a state of preparedness. That is true, isn't it?

Mr. LYDECKER. Oh, I think the increase of appropriations was an absolutely essential part.

Mr. HARRISON. Did your committee take into consideration the fact that during the last four years of Mr. Roosevelt's administration the Government appropriated for the Army $425,000,000, and that during the four years of Mr. Taft's administration the Government appropriated $442,000,000, a slight increase in the appropriation of $15,000,000, and that during the first four years of Mr. Wilson's administration, up to the 4th of March, 1917, that Congress had appropriated the enormous sum of $987,413,000—approximately over $100,000,000 more than both Mr. Roosevelt's and Mr. Taft's administrations combined. Had your committee taken that into consideration when it criticized Members of Congress?

Mr. LYDECKER. You mean the Army committee?

Mr. HARRISON. Yes.

Mr. LYDECKER. I have no doubt they did. I was not a member of the Army committee, but I have no doubt they considered that, and also the border troubles and circumstances which confronted the United States which were different from those that confronted Mr. Roosevelt.

Mr. HARRISON. During the Taft administration the Mexican trouble was on.

Mr. LYDECKER. Not in the same way.

Mr. HARRISON. It started back there.

Mr. LYDECKER. Oh, yes; but no army had been sent down there at that time.

Mr. HARRISON. Now, as a critic of Congress, you want to be fair.

Mr. LYDECKER. Absolutely.

Mr. HARRISON. Don't you really think that during the peace term, the first four years of Mr. Wilson's administration, when Congress appropriated $100,000,000 more than the eight years of Mr. Roosevelt and Mr. Taft's administration combined, it had done fairly well to get the country in a state of preparedness?

Mr. LYDECKER. As far as the Regular Army was concerned, I certainly think they did well.

Mr. HARRISON. Yes. Now, as to the personnel of the Army at the close of Mr. Roosevelt's administration.

Mr. LYDECKER. Would you kindly give me the years of that, if you can?

Mr. HARRISON. At the close of Mr. Roosevelt's administration; I think he went out in 1909. At the close of Mr. Roosevelt's administration there were 207,067 officers and men in the Regular Army. At the close of Mr. Taft's administration it had been increased 4,000; it was 211,000. At the close of Mr. Wilson's first four years' administration it had been increased to 323,000. Don't you think that was doing fairly well during peace times?

Mr. LYDECKER. Yes; fairly well. I always thought Mr. Roosevelt made a great mistake to cut down his army.

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Mr. HARRISON. And yet your committee would criticize Members of Congress who stood together to put through that enormous increase in the personnel of the Army.

Mr. LYDECKER. I do not know whether you are referring to the report of the committee on the Army that was made in 1915 or 1916. I do not know whether you are referring to that or not. If you are, I haven't it in mind. I don't know whether they criticized or whether they advised.

Mr. HARRISON. I am trying to show you that in peace times, up to the 4th of March, 1917, the administration, or Members of Congress, irrespective of parties, were doing pretty well when they had increased appropriations for the Army so enormously and the personnel of the Army, away out of proportion with the other administration.

Mr. LYDECKER. Yes. So far as administration of the Army, I never had any fault to find in peace times, for I did not believe in a large standing Army.

Mr. HARRISON. Yes, but you go back in 1916 and criticize.

Mr. LYDECKER. I think we criticized questions of preparedness in regard to very many other things; for instance, the strength of the Army.

Mr. HARRISON. Let us go a little further on the Navy.

Mr. LYDECKER. Yes.

Mr. HARRISON. The personnel of the Navy at the close of Mr. Roosevelt's administration, the total number of men in the Navy, was 55,548. At the close of Mr. Taft's administration it was 65,056; it had been increased about 10,000. At the close of Mr. Wilson's first term, the 4th of March, 1917 (the war had not come on), it had been increased to 83,000. Don't you think that was doing fairly well?

Mr. LYDECKER. Fairly well, but it was not doing——

Mr. HARRISON. It was not doing it as fast as you wanted to go?

Mr. LYDECKER. No; pardon me. It was not doing equal to the ships that were to be manned and which were in contemplation of structure.

Mr. HARRISON. Let us see about that. At the close of Mr. Roosevelt's administration the number of ships in the Navy—have you any idea how many there were?

Mr. LYDECKER. I can not remember those figures.

Mr. HARRISON. There were 173. Four years later, at the close of Mr. Taft's administration, there were 176. It had been increased 3. But at the close of Mr. Wilson's first term, during peace time, the first four years, it had been increased to 304. Don't you think that was doing pretty well toward preparedness?

Mr. LYDECKER. Yes; but it was not the preparedness that been initiated some time before.

Mr. HARRISON. When; what time before?

Mr. LYDECKER. The same as when Mr. Whitney was Secretary of the Navy, the plans were worked out.

Mr. HARRISON. When was that?

Mr. LYDECKER. Whitney?

Mr. HARRISON. Yes.

Mr. LYDECKER. In the time of Cleveland's administration.

Mr. HARRISON. They did not take it through Mr. Roosevelt's and Mr. Taft's administration while Mr. Myer was Secretary of the Navy, did they?

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Mr. LYDECKER. No.

Mr. HARRISON. But you want to take Mr. Myer as an expert o how it ought to be increased when he did not have the responsibilit he had, when he could have done some service, toward real prepare ness; that is right. You say you want to be fair?

Mr. LYDECKER. Yes; I desire to be fair and to refer to his ow statements, because they were not within my knowledge.

Mr. HARRISON. During the last four years of Mr. Roosevelt's a ministration have you any idea of how much was appropriated b the Government for the Navy?

Mr. LYDECKER. Of Mr. Roosevelt's?

Mr. HARRISON. Yes.

Mr. LYDECKER. No. I don't know whether it was $90,000,000—

Mr. HARRISON. There was $470,000,000.

Mr. CARAWAY. In four years.

Mr. HARRISON. In four years; the last four years of Mr. Roos velt's administration.

Mr. LYDECKER. Yes.

Mr. HARRISON. During Mr, Taft's administration there was $520, 000,000, not such an increase, but a proportionate increase. Do yo know how much it was during Mr. Wilson's first four years, during peace times, that the naval appropriations were?

Mr. LYDECKER. I judge it was somewhere around $600,000,000.

Mr. HARRISON. It was $1,141,846,000—over $100,000,000 more than the combined last four years of Mr. Roosevelt's administration and the four years of Mr. Taft's administration. Don't you think, in view of those figures, we were doing pretty well toward preparedness?

Mr. LYDECKER. Yes; you were doing well.

Mr. HARRISON. Doing very well. Now, you proposed in this, you say, by this chart to show who was 100 per cent and who was not 100 per cent; that is right, isn't it—American on their votes?

Mr. LYDECKER. That is the idea.

Mr. HARRISON. Yes. Now, do you think if I was running for office against, say, Mr. Browning, and Mr. Browning had proposed a motion to recommit a bill which carried $242,000,000 for the Navy, and his motion to recommit had never been considered by the committee, and he had offered it, and I had voted against it and he had voted for it, and then on the passage of the bill, after his motion to recommit had been defeated, he had voted against the passage of the bill carrying the $242,000,000, and I had voted for it, that it is just fair to class him as 100 per cent on that proposition and to class me as negative?

Mr. LYDECKER. I am really not a competent judge concerning the value of that vote, because it is not a matter that I have such—and I must fall back on the judgment of this committee that selected that and on the fact that you are——

Mr. HARRISON. But, Colonel, you have not answered my question on that. I just want to get your opinion on that, and I will ask it again. Suppose Congressman Browning and myself were running for Congress for reelection, say, in the same district. His record had shown that he had offered a motion to recommit a bill that carried $242,000,000 for the Navy, which was approximately $100,000,000 more than the naval bill for the previous year; that it had not been considered, his motion to recommit, by any committee. No Members

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of Congress nor I had any opportunity to know what was in it. He had voted for the motion to recommit, and I had voted against it; I had stood by the Committee on Naval Affairs that had taken into consideration what the experts in the Navy Department said they wanted; and I voted on the passage of the bill recommended by the experts of the Navy Department and the Naval Committee, and Mr. Browning voted against it. Do you think in your chart, when you put Mr. Browning up as 100 per cent on that one question and you put me as negative—do you think that fair to give the voters and then say, "What are you going to do about it?"

Mr. LYDECKER. Upon that simple statement, or statement of that matter in that brief form, if those were the only considerations, I should say it should not be fair to consider that as 100 per cent matter on a declaration of war.

Mr. HARRISON. I am not saying on a declaration of war.

Mr. LYDECKER. I know you are not.

Mr. HARRISON. I am putting it on that one question.

Mr. LYDECKER. On that one question.

Mr. HARRISON. I am asking about that; I am asking you on that one question. You don't want to be unfair about that?

Mr. LYDECKER. No; not upon your statement.

Mr. HARRISON. Let me tell you just what the facts were and then I think you will admit it is not fair. This motion to recommit, that you asked the voters "What are you going to do about it?" that was offered to the naval bill by Mr. Browning, was offered to a bill that carried $242,000,000 for the Navy for that year. It was on the recommendation of the naval experts. The bill carried $100,000,000, approximately, more than the naval bill for the preceding year. Mr. Browning offered his motion to recommit. The vote on that motion to recommit is embodied in your chart here. Those who voted for it are classed as 100 per cent. Those who voted against it are classed as negative. You give no vote on the final passage of the bill. Mr. Browning, in the Congressional Record here, is shown to have voted "no" on the final passage of the appropriation bill that carried $242,000,000. He voted against any appropriation for the Navy by voting against that bill. I voted for it. Yet you say nothing about my vote on it and you class in your chart Mr. Browning as 100 per cent American and class me as absolutely negative on it. Is that absolutely fair?

Mr. LYDECKER. I am perfectly willing to admit that on the simple statement in that chart there may have been an injustice done.

Mr. HARRISON. In that instance there was an injustice done?

Mr. LYDECKER. On your statement there was. But I desire, if I may add to my testimony, to say this in regard to my committee, that in June—July 1, 1916—the National Security League had published in the four votes this one particular vote concerning the naval appropriation bill and published the names of all these gentlemen on the question of preparedness, and the committee included those because they had been considered as test votes of preparedness. If there is a justification for their not having been so considered, it was not as fully appreciated as your statement makes it. And I would like to offer that pamphlet—of the publication in June, 1916, July 1—of the votes by States in the Senate and House on that and the three other preparedness measures.

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The CHAIRMAN. I think that is too much to go in.

Mr. HARRISON. I suggest we wait on that to see what is being offered and then decide about it.

I think you want to be fair to the committee and fair to the country on that proposition.

Mr. LYDECKER. Certainly.

Mr. HARRISON. You would really think an injustice was done in that one instance?

Mr. LYDECKER. On your statement I answer your question; I think it would have been more fair to have had the matter stated as you put it.

Mr. HARRISON. Here is the Congressional Record. I will show it to you. On the final passage of the bill Mr. Browning is voted negative—nay [exhibiting Record]. You can investigate it. And on your chart you have him on that one vote—No. 5—as 100 per cent American and you have me negative. That is not just right?

Mr. LYDECKER. That is a very great misfortune to have Mr. Browning, if Mr. Browning's vote was contrary to preparedness, put as perfect.

Mr. HARRISON. Now, I want to ask you about another instance. Mr. Graham of Pennsylvania voted on the motion to recommit.

Mr. LYDECKER. The naval bill?

Mr. HARRISON. Yes. He voted for the motion to recommit, but he voted against the final passage of the bill.

Mr. LYDECKER. The same as Mr. Browning?

Mr. HARRISON. Yes. He is put down as 100 per cent American in your chart; I am put down as negative. Do you think that is just fair?

Mr. LYDECKER. No; I do not think it is just fair.

Mr. HARRISON. Mr. Moore of Pennsylvania voted on the motion to recommit the naval appropriation bill. On the final passage of the bill he is recorded as voting "present"—not voting at all. I voted for $242,000,000 for the Navy that year. Yet he is placed here as 100 per cent American on that vote, and I am placed as negative. Is that fair?

Mr. LYDECKER. He is placed as 100 per cent American, and not voting?

Mr. HARRISON. Yes.

Mr. LYDECKER. He is not put down as what he did vote?

Mr. HARRISON. No. It just says right in the case of Mr. Moore of Pennsylvania, and says wrong in my case. And here it says Mr. Moore of Pennsylvania, "present."

Mr. LYDECKER. Mr. Auth, make a memorandum of these.

Mr. HARRISON. The Record will show; you may change your chart later.

Mr. LYDECKER. Mr. Auth, are you paying attention to these questions asked me? I must plead, as I have before, ignorance of the facts as the Congressional Record shows.

Mr. HARRISON. If on the facts they are misleading, if they state those facts as I state to you, is not that true?

Mr. LYDECKER. Yes.

Mr. HARRISON. And yet you sent throughout the country and asked the voters, "What are you going to do about it?" That is not right, is it?

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Mr. LYDECKER. Every opportunity, I think, was given to everybody, and every desire, I think, was indicated to make every correction or do everything. I never heard an objection to the correctness of this chart that the committee prepared.

Mr. HARRISON. Let me ask you this question: Mr. Mann, the Republican leader, voted, as the Record will show, for the motion to recommit this naval appropriation bill. On the final passage of the naval appropriation bill, that I voted for, that carried $242,000,000 that year for the Navy, Mr. Mann has an (x) mark, and it is not known that he did not vote at all. He did not vote on that bill; he just answered "present." Yet he is put down as 100 per cent American on that vote, and I am put as negative. Do you think that is just fair?

Mr. LYDECKER. No; not on your statement, if it indicates that he did not support it. All of them are explainable, I suppose, as party measures.

Mr. HARRISON. I just want to ask you this question, Colonel: Do you think, in view of what has transpired, that it would have been better and fairer to the Members of Congress if you had put the vote of each Member on the final passage of the naval appropriation bill and on the armed neutrality bill and on the selective and preparedness measures, and picked out some other measures the fellows voted for, instead of just picking out the eight you mention?

Mr. LYDECKER. In order that I can answer that question fully——

Mr. HARRISON. That is a matter of opinion.

Mr. LYDECKER. I can not answer that question interrogatively, because I do not know the extent to which the battle was waged in your Congress in regard——

Mr. HARRISON. But you proposed to tell here the people of the country what were the most important propositions.

Mr. LYDECKER. Yes. I supposed this committee had picked out the critical votes on that matter.

Mr. HARRISON. Don't you think your committee made a mistake in not presenting the vote on the final passage of the bill?

Mr. LYDECKER. It apparently then became a party measure. But as indicating a disposition on the part of Members of Congress in that month of 1916, when the two dreadnaughts were sought to be included with the cruisers in the naval program, I do not know enough about it. You asked me if I can answer. I would answer with great fullness if I could know at just what point the critical matter was in the vote. Questions have been put to me about tabling, amendments, recommitments—those are technical matters. This committee has stated that in effect it was a vote; that is, it is their purpose to state that in effect it was a vote opposed to the principle of preparedness. Now, you asked me if what you say makes that record unfair. Apparently it does. But I am, I add, not well enough informed concerning the battle that was waged in your sessions to say whether it is truthful or not that it was correctly an indication of the sense of the necessity for building those two dreadnaughts then. I can not answer that.

Mr. HARRISON. I understand that; but you were giving the record of a Member of Congress.

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Mr. LYDECKER. I do want to be fair, and would not do an injustice for anything; and if an injustice has been done, I am exceedingly sorry, and it should not have been done. That is all I can say.

Mr. HARRISON. I think I am through with the colonel.

Mr. REAVIS. Col. Lydecker, the purposes which inspired the original organization of this committee——

Mr. LYDECKER. Of the committee?

Mr. REAVIS. Yes.

Mr. LYDECKER. Of the congressional committee?

Mr. REAVIS. Of the league, I mean.

Mr. LYDECKER. Of the league.

Mr. REAVIS. Have been largely accomplished in your judgment, have they not?

Mr. LYDECKER. No.

Mr. REAVIS. I noticed in your bulletin of December of this year, Bulletin No. 6, something that is attributed to you, called "Col. Lydecker's report." You say that "the organization, as an agent for national security, safety, and prosperity, has passed the peak of its first task of teaching preparedness, and now, having practically finished its exhortation to war for a peace with victory, must determine the national tasks, in which it can maintain its influence and lay out the activities in which it shall labor, with the united support of a great and increasing membership."

I inferred from reading that that in your opinion the purposes which the league had originally in mind had been in large measure accomplished at this time.

Mr. LYDECKER. Yes.

Mr. REAVIS. Now, those purposes having been accomplished, there is an attempt, or has recently been an attempt, to reorganize the National Security League, has there not?

Mr. LYDECKER. To reorganize the activities?

Mr. REAVIS. Along, at least to some extent, different lines.

Mr. LYDECKER. I can not admit that, because all of the committees that have been appointed are committees that have the work that they had in hand before, with the exception, I think, of two. Our educational work is going on not in the same way, quite, that it did during the war, which was an education for self-sacrifice and devotion to win the war. That has passed. But the great work of national integrity, unifying the people in a nation of our American ideals, our principles of correct government, our respect for authority, those we think are really very great. Whether they are to be taken up by the National Security League or by any other group of citizens, or whether it is to be done by legislation, coercion in any way, we regard it as patriotic legislation that every citizen should take a hand in.

Mr. REAVIS. I infer from your report and some of the bulletins published here, released for publication, under such a heading as this, "Reorganization of National Security League for active afterwar work."

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. That without any intention of being offensive you were looking for new things to take up and new worlds to conquer. Am I right about that?

Mr. LYDECKER. I don't think your statement is right, because, as I say, the activities were along precisely the same lines, only facing as

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r enemy faced. If it was Bolshevism, we faced against that. If was Boloism, we faced against that. We have to shift our face ightly as our enemy shifts. And this activity we thought was an ivity that appealed to all patriotic citizens, was in the line of cation which our donations entitled us to go on with and, as we lt, with the patriotic impulses of the people.

Mr. REAVIS. Looking further in your report published in your lletin of December, I find you attempt to give the reasons for the rther activities of this league in the following language:

As a consequence of the great war the world has become, at the prospective mination thereof and the triumph of the principle of popular Government autocratic or class, supremacy, a seething, tumultuous number of sep- groups or peoples, who are entering upon or are engaged in trying to l themselves.

This Nation is one of those groups.

Is it your candid judgment at this time that this Nation is a seeth- g, tumultuous group of people?

Mr. LYDECKER. One of a series of seething, tumultuous people.

Mr. REAVIS. I beg your pardon.

Mr. LYDECKER. That language admits of shading. I do not think quite fair. I am by no means fearful of the stability of this untry. But that there is a very large amount of discussion of the ne that we don't like, and it calls for some kind of help, soothing, l guidance, both in respect to our great mass of immigrants, ,000 people who can not read the English language, and our at Negro population—it is not perhaps now seething. It may be ething. I do not wish to be an alarmist in any way; on the ntrary.

Mr. REAVIS. What I am trying to get is your mental attitude and se who inspire the continuation of this league, and I am seeing f I can get it in words charged to you—

Mr. LYDECKER. I used them.

Mr. REAVIS. In your official publication, when you give as a reason r the continuation of this league that America is one of a group of ething, tumultuous people—now do you think there is any reason r the National Security League to protect this Government against ething, tumultuous people?

Mr. LYDECKER. No; that is not the idea at all.

Mr. REAVIS. Not to protect it at all?

Mr. LYDECKER. No.

Mr. REAVIS. Then this does not correctly give your mental atti- e with reference to the spirit of unrest that you speak of in the ited States?

Mr. LYDECKER. But the speaking there was in reference to our own l all the peoples we are in contact with. We have Russia as parently being put upon us as one of our wards by many people.

Mr. REAVIS. But your statement here is not with reference to any nection of this with any other nation. It is a mere statement at as a consequence of the great war the world has become, at the spective termination thereof, a seething and tumultuous group or mber of separate groups or peoples and this country is one of se groups. Do you think that is entirely accurate?

Mr. LYDECKER. If you will read that once more to me. I think it go into the record again.

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Mr. REAVIS. "As a consequence of the great war the world h become, at the prospective termination thereof, * * * a seethin tumultuous number of separate groups or peoples."

Now I will read the other line that is in here: "Who are enteri upon or are engaged in trying to find themselves. This Nation one of those groups."

Do you really believe that?

Mr. LYDECKER. Yes; I think this Nation is one of a number groups.

Mr. REAVIS. A seething, tumultuous people.

Mr. LYDECKER. Of seething, tumultuous masses. It does not s we are a seething, tumultuous people. If you analyze my Engli quite so closely as that, it does not say a group of nations each which is a seething, tumultuous mass, but it says a seething, tumu tuous number of nations.

Mr. REAVIS. Well, let us see if it does; I will read it again.

Mr. LYDECKER. I think you gentlemen try to read things to ma them——

Mr. REAVIS. I am not doing this in any controversial spirit at a

Mr. LYDECKER. I admit the writing of it.

Mr. REAVIS. "As a consequence of the war, the world has becom at the prospective termination thereof, a seething, tumultuous nu ber of separate groups or peoples."

Mr. LYDECKER. It is rather bad English, isn't it?

Mr. REAVIS. "Who are entering upon or are engaged in trying find themselves. This Nation is one of those groups."

Mr. LYDECKER. Yes.

Mr. REAVIS. Now you say there are a number of nations of seet ing, tumultuous people.

Mr. LYDECKER. No; I do not say that.

Mr. REAVIS. And that America is one of them.

Mr. LYDECKER. That is the way you twist the words.

Mr. REAVIS. Do you have any idea that at this time that the thin that the National Security League is indicating by the spirit here unrest in America, that you may aid in quieting it?

Mr. LYDECKER. I know that the work of our educational com mittee, reaching 300,000 teachers, is working and will work a ver great influence upon the great mass of the children in teaching the respect for their Government. I am confident of that. But if t National Security League should go out of existence the wor would go on just the same, and it is not a necessity for the wor to have it. I concede that very quickly.

Mr. REAVIS. Now, Colonel, in response to this demand, or at lea in response to the advisability, I will put it, of the continuation this league, in this report you outline certain things which you thin the league could and should accomplish.

Mr. LYDECKER. Yes.

Mr. REAVIS. There are three separate headings here I will tak the time to read. These were adopted by the league, were they not

Mr. LYDECKER. They were approved as suggestions.

Mr. REAVIS. I will accept your language. They were approved b the league.

Mr. LYDECKER. As suggestions of activities.

Mr. REAVIS. When were they approved?

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Mr. LYDECKER. Immediately after the armistice, about the end of November.

Mr. REAVIS. Where was this meeting held at which this approval was given?

Mr. LYDECKER. At the Lawyers' Club, New York.

Mr. REAVIS. In the day time or the night time?

Mr. LYDECKER. In the day time; at noon.

Mr. REAVIS. Were any minutes of that meeting kept?

Mr. LYDECKER. Yes; all the minutes of the league, from the minute of its organization up to this minute, are present here in this room.

Mr. REAVIS. Who was present at that meeting?

Mr. LYDECKER. I could not tell you.

Mr. REAVIS. Could you refresh your recollection by a reading of the minutes?

Mr. LYDECKER. Yes.

Mr. REAVIS. I wish you would do so.

Mr. LYDECKER. As I stated, they had been discussed in a certain council of the heads before they were presented at that meeting. [Referring to record:] The meeting was held on the 13th day of December. There were present myself, Mr. Hemphill, Mr. Beall, Mr. Harding, Dr. McElroy, Mr. Mentin, Mr. Ruth, Mrs. Preston, W. E. Remington, Mr. Stillwell, Dr. Thompson, Lloyd Taylor, William H. Wiley, Henry L West, and, by invitation, Mr. Woodcock and Mr. William M. Lewis.

Mr. REAVIS. Don't close that; I want to make a few interrogatories concerning that. Who are those people that were present at that meeting? Would you kindly go over the list and tell me?

Mr. LYDECKER. Yes. Mr. Hemphill is treasurer of the Guaranty Trust Co., Mr. Beall is a member of a firm of brokers. Mr. Edward Harding is a lawyer. Dr. McElroy is a released professor of history at Princeton and educational director of the same league.

Mr. REAVIS. What salary does he obtain from this league?

Mr. LYDECKER. $10,000 per annum.

Mr. REAVIS. That salary would continue if the activity of the league continues, presumably?

Mr. LYDECKER. Well, the finance committee has offered a report reducing the salaries since this war.

Mr. REAVIS. To what extent?

Mr. LYDECKER. Reducing the salary of Mr. McElroy to $7,500 and of Mr. West to $7,500.

Mr. REAVIS. Have those suggestions been acted upon?

Mr. LYDECKER. Not yet.

Mr. REAVIS. I beg your pardon?

Mr. LYDECKER. Not yet.

Mr. REAVIS. If you will continue to inform me about that, please?

Mr. LYDECKER. S. Stanwood Menken, who is here, was the former president. Mr. Auth is the gentleman who made that chart.

Mr. REAVIS. Mr. Auth is the man who made the chart.

Mr. LYDECKER. He never has been and never has received any compensation for his activities. Mrs. Preston was Mr. Grover Cleveland in former years.

Mr. REAVIS. Mrs. who?

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Mr. LYDECKER. Mrs. Thomas J. Preston, jr. Mr. W. E. Remington; I do not know what his business is. Mr. Lewis Patrick Stillwell is a very prominent engineer at the present time He has gone to France on the invitation of the French Government in connection with reconstruction work in that country.

Mr. REAVIS. Colonel, if I may interrupt you a minute: Did I understand the name Remington?

Mr. LYDECKER. Yes; W. E. Remington.

Mr. REAVIS. Is he connected in any way with the Remington arms?

Mr. LYDECKER. I believe in no way whatsoever. He lives in Ridgewood, and I believe he has no connection in any way with the Remington Arms Co.

Mr. REAVIS. You may proceed.

Mr. LYDECKER. Dr. Henry D. Thompson is a released professor from Princeton, who is educational secretary. Mr. Lloyd Taylor is here in court and is a New York gentleman. I do not know whether he has any affiliation of any kind. I never heard he had, with any interest, except the most patriotic and most helpful toward the soldiers going to the other side. He has fed and cared for a number of them, I think. William H. Wiley is an ex-Congressman. probably known to you.

Mr. REAVIS. What is his name?

Mr. LYDECKER. William H. Wiley.

Mr. REAVIS. No; not known to me.

Mr. LYDECKER. He is a member of a scientific book concern, I do not recall the name—Wiley and somebody—in New York City. Henry L. West, who is here, is executive secretary.

Mr. REAVIS. And a salaried employee?

Mr. LYDECKER. And a salaried employee.

Mr. REAVIS. What is his salary, sir?

Mr. LYDECKER. He is not a member of the executive committee; he is only secretary.

Mr. REAVIS. What is his salary?

Mr. LYDECKER. $8,400.

Mr. REAVIS. Was he present taking the minutes as secretary?

Mr. LYDECKER. Yes; he was present as secretary, not as a member of the board.

Mr. REAVIS. I have not counted the number; I would like to know how many were there. Will you count them, please. How many of the executive committee?

Mr. LYDECKER. Fourteen, including Mr. Woodcock. I do not know whether he was a member or not. He was chairman of our committee on demobilized Army activities.

Mr. REAVIS. How many members are there of the executive committee?

Mr. LYDECKER. Some 50.

Mr. REAVIS. So that 13 or 14 of an executive committee having control, or in a large measure having control of this league, assembled at that time and agreed to continue the league in existence?

Mr. LYDECKER. No.

Mr. REAVIS. For certain definite purposes, is that true?

Mr. LYDECKER. No.

Mr. REAVIS. They approved your report to that extent, did they not?

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Mr. LYDECKER. No.

Mr. REAVIS. I understood you to say that the report was approved and I understood——

Mr. LYDECKER. There was no report to continue the activities of the league. The report was for going on with the work, but the direction of its activities were then phrased in that way and was approved.

Mr. REAVIS. The direction of the activities?

Mr. LYDECKER. Yes; not the reorganization of the league or its activities at all.

Mr. REAVIS. Then, what do you mean in your bulletin, this December, No. 6, at the head of your article, describing this report, printed in black type, "Reorganization of league."

Mr. LYDECKER. Of what?

Mr. REAVIS. Reorganization of league for active afterwar work.

Mr. LYDECKER. I do not get the word; reorganization of what?

Mr. REAVIS. Reorganization of league. What do you mean by that?

Mr. LYDECKER. League activities.

Mr. REAVIS. A reorganization of activities rather than a reorganization of the league.

Mr. LYDECKER. I do not mean anything; I did not put that heading there. The reorganization, I tell you, was simply a reorganization of activities. This was phrased in slightly different form.

Mr. REAVIS. You say you are familiar with these bulletins and read them and know what is in them?

Mr. LYDECKER. That is right.

Mr. REAVIS. Had you seen this bulletin?

Mr. LYDECKER. I have seen it. I saw it yesterday.

Mr. REAVIS. Do you think that headline accurately describes what was done at this meeting?

Mr. LYDECKER. Oh, I think so. Reorganization of activities is right.

Mr. REAVIS. That is not what it says.

Mr. LYDECKER. What does it say?

Mr. REAVIS. Reorganization of league for active afterwar work.

Mr. LYDECKER. That is not correct.

Mr. REAVIS. That is not correct?

Mr. LYDECKER. Strictly speaking.

Mr. REAVIS. Did it ever appear to you it was incorrect?

Mr. LYDECKER. Before now?

Mr. REAVIS. Yes.

Mr. LYDECKER. No.

Mr. REAVIS. And yet you read it before?

Mr. LYDECKER. No; I think it was put in my hands at a time when I was busy with other matters, and I did not pay much attention to it until your reading of it here.

Mr. REAVIS. Didn't you say a moment ago you read all of them?

Mr. LYDECKER. I read the articles always, and perhaps the heading itself is the last thing I read. Perhaps I ought to read it first.

Mr. REAVIS. What was the life of this league under your articles of incorporation, or was the termination of your league definitely stated in the articles of incorporation?

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Mr. LYDECKER. Well, I will have to look. The life of the league is not stated in the articles of incorporation.

Mr. REAVIS. Are the purposes of incorporation stated in those articles?

Mr. LYDECKER. Yes.

Mr. REAVIS. Will you read what your purposes are as defined there?

Mr. LYDECKER. The particular objects for which the corporation is to be formed:

(The matter referred to will appear hereafter.)

Mr. REAVIS. And 13 or 14 of the members of the executive committee at a meeting, a daylight meeting, held in New York at the Lawyers' Club, some of which committee were the salaried officers of this club, or this league.

Mr. LYDECKER. One.

Mr. REAVIS. One of the committee being a salaried officer of the league, started out on a reorganization of the activities of the league. Do I so understand you?

Mr. LYDECKER. Yes.

Mr. REAVIS. And sent that in a publication to how many members?

Mr. LYDECKER. I said I thought about 80,000.

Mr. REAVIS. About 80,000?

Mr. LYDECKER. Or 85,000.

Mr. REAVIS. And most of your bulletins that I have seen contain an active appeal for funds from those members, and you sent that out to the Nation, bearing the name of Senator Elihu Root and Hon. Alton B. Parker, leaving the impression with the people throughout the Nation that they are more or less actively instrumental and more or less actively engaged in the purposes of this league, do you not?

Mr. LYDECKER. Yes.

Mr. REAVIS. While as a matter of fact it is an inspiration of 13 or 14 people that met at the Lawyers' Club, at a noon meeting, in New York?

Mr. LYDECKER. Yes, sir.

Mr. REAVIS. I think that is all I want to ask.

Mr. LYDECKER. If you will allow me to add——

Mr. REAVIS. And neither Mr. Root nor Mr. Parker were present.

Mr. LYDECKER. No.

Mr. REAVIS. And neither of whom were consulted about it.

Mr. LYDECKER. If you will allow me to add?

Mr. REAVIS. Will you kindly answer that question? Were either of them consulted about it, so far as you know?

Mr. LYDECKER. No, I think not consulted about that form of the reorganization of the activities of the league. But the minutes of these meetings are sent to all of the members of the executive committee, and any comment, correction, modification or suggestion is always within their power.

Mr. REAVIS. Is Senator Root a member of the executive committee.

Mr. LYDECKER. I think strictly speaking he does not regard himself as an officer. He is an honorary president and——

Mr. REAVIS. Is Mr. Parker a member of the executive committee?

Mr. LYDECKER. The same with Mr. Parker. He does not attend the meetings of the committee.

Mr. REAVIS. So far as you know has Mr. Root been consulted with reference to the continuation of this league, or of the activities of

the league as defined in your motion published in the bulletin of December, 1918?

Mr. LYDECKER. No; I have talked a little with Mr. Root, but only a little, over the phone.

Mr. REAVIS. About this?

Mr. LYDECKER. About some particular portions of that.

Mr. REAVIS. When did you talk to Mr. Root about it?

Mr. LYDECKER. Oh, I think somewhere around the 1st of December.

Mr. REAVIS. Of this year?

Mr. LYDECKER. Yes.

Mr. REAVIS. With reference to the continuation of the league along a reorganized activity?

Mr. LYDECKER. Oh, no; there has never been any suggestion of that. As I have tried to explain to you, the activities on this reorganization was merely putting the names of the committees in a slightly modified form and putting the work before those committees. We had before committees on practically the same work, but the committee connected with the educational activities was called the committee on patriotism through education, and the name of that committee was changed to "committee on organized education."

Mr. REAVIS. Now, Col. Lydecker, you have wandered far afield from my question as to whether Mr. Root was consulted about this reorganization of activities.

Mr. LYDECKER. I have answered you flatly.

Mr. REAVIS. I know you have answered me flatly, but you have continued to answer things not related in the remotest to the question. Let me ask you: You say this related to reorganization of committees, while it says in your report: "There was unanimity in the suggestions which at my request have been made to me regarding the immediate activities to be pursued. Future activities. They are: Urging a just and careful peace treaty," etc. Now, that had nothing to do with a reorganization of committees.

Mr. LYDECKER. No; it was a new committee altogether.

Mr. REAVIS. It says nothing about committees; you only speak about future activities of the league.

Mr. LYDECKER. You have not that published in the report.

Mr. REAVIS. My knowledge is confined to what is contained in these publications which have been submitted here in the committee hearing. Have you a committee for urging a just and careful peace treaty?

Mr. LYDECKER. Not yet.

Mr. REAVIS. When you do have a committee whom are you going to take that proposition up with, with the Senate or the Peace Commission in France?

Mr. LYDECKER. I do not know; the newspapers, I suppose.

Mr. REAVIS. With the idea of going before the Peace Commission or the Senate?

Mr. LYDECKER. I think we have no standing with the Peace Commission nor would not wish to have.

Mr. REAVIS. What particular standing have you with the Senate that you could influence it in the ratification of a peace treaty?

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Mr. LYDECKER. I do not know whether the Senate ever listens to the words from thoughtful men or not, or whether anybody could do anything to it.

Mr. REAVIS. And this somewhat glittering generality of a just and careful peace, what is the idea of the committee or of the league as to what a just and careful peace is?

Mr. LYDECKER. I do not know.

Mr. REAVIS. Have you any ideas of a just and careful peace that you would care to express at this time?

Mr. LYDECKER. None in any concrete form. I assume we have our officials who are attempting to do their duty, and unless questions are submitted and unless they become matters of public discussion I do not think we have any place in the discussion.

Mr. REAVIS. Then why have you a committee that will influence people on that proposition?

Mr. LYDECKER. I do not believe it will do any harm.

Mr. REAVIS. What would be your idea, as the president of this league and as the man who suggested this as one of the activities of the league? What would be your ideas of a careful peace?

Mr. LYDECKER. I think a careful peace would be one which determined some of the questions whether the terms of the peace treaty—that is, if it is left to the country to say, or if any opinion can be expressed—whether the terms of peace should be the terms of peace between the nations or whether they should be terms of peace which covered the future life of the nations. There are two views concerning that. One view, I believe, is represented in certain resolutions before Congress—let us leave something to be done for the future; do not let us try to settle the affairs of the world in a peace treaty all at once. There are views about that. I do not know that the National Security League has anybody in its members that can help anybody else to come to any conclusion about it. Some people think they know all about it without having any suggestions. Some people are willing to hear suggestions. If the gentlemen are capable of adding anything to the knowledge of the world it remains to be seen.

Mr. REAVIS. Yet in your report to this meeting of the 13 or 14 members of this committee you suggested that the league become active along the lines of a just and careful peace?

Mr. LYDECKER. I object to your saying the report was made to 13 or 14 members. It was made to the entire executive committee, and communicated to them, although only 13 or 14 were at that meeting.

Mr. REAVIS. I will accept that. I do not know, but I am quite confident you are correct about it.

Mr. LYDECKER. Yes.

Mr. REAVIS. But you are the one that suggested that the committee take up the work of securing a just and careful peace?

Mr. LYDECKER. No. I made the suggestion that the executive committee make provision for the appointment of a committee, which is in the discretion of the president now, by reason of their approval of it, to consider a just and careful peace.

Mr. REAVIS. Now you say that your suggestions were approved by those who were present?

Mr. LYDECKER. I do.

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Mr. REAVIS. And the committee is going to enter upon that activ- now, is it not, or, I mean, the league is going to enter upon that vity?

Mr. LYDECKER. I do not.

Mr. REAVIS. Well, if they approved your suggestions, that would the natural inference, would it not?

Mr. LYDECKER. I do not know what you infer, but I have not ap- nted the committee yet and I am trying to follow the prayer to d presumptuous sins, and at the present minute I do not believe e is any reason for any great discussion in Congress or elsewhere the subject of a careful peace.

Mr. REAVIS. Why did you make suggestions to that executive com- when you now say there is no necessity for it?

Mr. LYDECKER. I do not say I made the suggestions that they do; ay that is one of the subjects that might become of immense im- ance to us.

Mr. REAVIS. I believe there must be a misunderstanding on my t as to just what this bulletin says, but the headlines to which u say you rarely refer, says, "Executive committee approves revi- n of activities—Col. Lydecker names new committees and bu- s—all officers continued." Then the subheading is, "Col. Ly- ker's report," and in Col. Lydecker's report I find an enumera- n of the future activities of this league, the first of which is the g of a just and careful peace. Now, that was undoubtedly in ur report?

Mr. LYDECKER. Will you read what it says that Col. Lydecker mitted?

Mr. REAVIS. Yes. This is in quotation that I am now reading:

(The matter referred to will appear hereafter.)

Mr. LYDECKER. Yes.

Mr. REAVIS. There is unanimity in the suggestions which, at my quest, have been made to me regarding the immediate activities to e pursued. Future activities. They are—First, the urging of a just d careful peace treaty.

Mr. LYDECKER. Yes.

Mr. REAVIS. At your request.

Mr. LYDECKER. Yes.

Mr. REAVIS. That is a part of your report?

Mr. LYDECKER. Yes.

Mr. REAVIS. Will you now say that you have any intention of or- anizing any activity in the league looking to the influencing either f the peace commission, the President, or the Senate of the United States, along the lines of a glittering generality of a just and careful peace treaty?

Mr. LYDECKER. I do not know.

Mr. REAVIS. You are the president, are you not?

Mr. LYDECKER. Yes. I have no intention at the present minute, ecause as I say I do not believe——

Mr. REAVIS. But the headline says here "Colonel Lydecker names w comittees." Have you named a committee on that proposition?

Mr. LYDECKER. No.

Mr. REAVIS. Now Colonel, disclaiming any idea to be offensive the appointment of a committee of the National Security League with

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the idea of influencing anybody along the lines of a just and caref peace treaty would be something of an absurdity, would it not?

Mr. LYDECKER. No.

Mr. REAVIS. You do not think so?

Mr. LYDECKER. No.

Mr. REAVIS. Now, let us take up the second propositon, "Steadi ing the nation by a great propaganda for the maintenance of fre dom, justice, law, and liberty." What does that mean?

Mr. LYDECKER. Just what it says.

Mr. REAVIS. It is almost as broad as the illimitable perspective a as to the statement of the proposition that nobody disagrees with would you want a propaganda if everybody is in harmony with you

Mr. LYDECKER. If there is no disagreement with it, I don't kno just why we should bother over it.

Mr. REAVIS. That is just what I want to know, why you publis in this bulletin that goes to 80,000 citizens pleading with them fo subscriptions of money, that Col. Lydecker is going to organize committee to steady the Nation along the lines of freedom, justic law, and liberty.

Mr. LYDECKER. The report don't say so.

Mr. REAVIS. The report says so. No. 2, "Steadying the Nation b a great propaganda for the maintenance of the principles of free dom, justice, law, and liberty." Have you appointed that committee

Mr. LYDECKER. No. The report does not say that any committe was to be appointed for that.

Mr. REAVIS. Just a moment ago I asked if the league was goin to continue its activities, and you said no, that it simply affects th organization of new committees. Now, what is it? Are you goin to appoint committees—those things—and do that by committees?

Mr. LYDECKER. I told you committees were appointed with certai topics that involved those activities.

Mr. REAVIS. Now, what is the committee that involves the steady ing of the United States so that it will maintain freedom, justice law, and liberty. Have you appointed your committee on that?

Mr. LYDECKER. The committee on organized education.

Mr. REAVIS. Who is on that committee?

Mr. LYDECKER. You do not allow me to finish the sentence.

Mr. REAVIS. Yes; that answers the question fully. "The committee on organized education" answers my question fully. Now, who is on that committee?

Mr. LYDECKER. Dr. McElroy is the chairman; and I think there are—can you give me the name of that committee? I think there are quite a large number of very distinguished men on that committee.

Mr. REAVIS. I am curious to know who are going to steady the Nation, and I wish you would read the list.

Mr. LYDECKER. I will read them. Dr. Robert McElroy.

Mr. REAVIS. Now, how much does the doctor get for steadying the Nation, Colonel?

Mr. LYDECKER. I have answered that question.

Mr. REAVIS. $10,000 a year, isn't it?

Mr. LYDECKER. I have answered the question concerning the salary.

Mr. REAVIS. Yes; that is $10,000 a year.

Mr. LYDECKER. He is educational director and gets $10,000 a year.

Mr. REAVIS. All right; proceed.

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Mr. LYDECKER. Dr. Thompson.
Mr. REAVIS. Who is the doctor?
Mr. LYDECKER. Of Princeton.
Mr. REAVIS. I beg your pardon.
Mr. LYDECKER. Professor of Princeton University.
Mr. REAVIS. A professor of what?
Mr. LYDECKER. Mathematics.
Mr. REAVIS. Go ahead.
Mr. LYDECKER. I think that is his professorship. Miss Etta V. ighton, quite a well-known teacher.
Mr. REAVIS. May I ask who the lady is?
Mr. LYDECKER. A teacher.
Mr. REAVIS. Where?
Mr. LYDECKER. Formerly of Passaic, N. J.
Mr. REAVIS. Now located where?
Mr. LYDECKER. At the league, under salary, as I gave to you yesrday.
Mr. REAVIS. She is one of the employees of the league?
Mr. LYDECKER. Yes.
Mr. REAVIS. What will she get for her activities.
Mr. LYDECKER. She gets $200 per month.
Mr. REAVIS. She gets $200 per month. All right; proceed.
Mr. LYDECKER. Dr. Albert Bushnell Hart, of Harvard University.
Mr. REAVIS. I have heard of the doctor.
Mr. LYDECKER. Dr. Talcott Williams, of Columbia University.
Mr. REAVIS. Who is Dr. Williams?
Mr. LYDECKER. Director of the Columbia University School of Journalism. Maj. George Haven Putnam, publisher.
Mr. REAVIS. I have heard of Maj. Putnam.
Mr. LYDECKER. Thomas W. Churchill, ex-president of the board of ducation of the city of New York. Calvin W. Rice.
Mr. REAVIS. This last gentleman?
Mr. LYDECKER. Mr. Churchill is a lawyer.
Mr. REAVIS. He is a lawyer. Before you proceed further let me k you another question. How much time, do you know, do those committees give actively to this work, or is it all turned over to somedy to tage of for them?
Mr. LYDECKER. Well, Mr. McElroy has a staff of assistants, and the ork is done under the educational direction of these gentlemen here, ho are conferred with and advised with in regard to this work.
Mr. REAVIS. Do you know to what extent they are advised with, Colonel?
Mr. LYDECKER. No.
Mr. REAVIS. Or conferred with?
Mr. LYDECKER. No.
Mr. REAVIS. Do you know whether that committee has ever had a eeting?
Mr. LYDECKER. I have never been to a meeting of this committee.
Mr. REAVIS. Have you ever heard of its having a meeting?
Mr. LYDECKER. I do not know whether they meet or not. The matter is in their hands. Whether they meet personally or meet by correspondence or how——
Mr. REAVIS. My question was, Have you ever heard of their having a meeting?

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Mr. LYDECKER. I have heard of several meetings of the committ on patriotism through education, which was the committee in cha of the same thing as the committee under the present title of org ized educational committee.

Mr. REAVIS. This organized educational committee is a new c mittee you have recently appointed?

Mr. LYDECKER. It is the same committee under another name.

Mr. REAVIS. That is, you have just changed the name of the c mittee and have not changed the personnel of the committee?

Mr. LYDECKER. No; the personnel has been changed slightly in or two names added in the last month or two.

Mr. REAVIS. That is just what I asked you, and you said it wa same committee with a different name.

Mr. LYDECKER. No; I did not say that; I say that a few nam have been added to it. Arthur Wolfson, principal of the Hi School of Commerce of New York City; Dr. Philander P. Claxt Commissioner of Education.

Mr. REAVIS. Of what?

Mr. LYDECKER. Of the United States?

Mr. REAVIS. Located here in Washington?

Mr. LYDECKER. Yes. Dr. John H. Finley, commissioner of edu tion of the State of New York; Henry Allen, governor-elect of Ka sas; Dr. Hermon C. Bumpus, just recently appointed as president Tufts College; Mrs. Philip North Moore, president of the Nation Council of Women; Charles P. Neill, former United States Commi sioner of Labor; Dr. Shailer Mathews, dean of the divinity school the University of Chicago; Dr. Thomas F. Moran, professor of hi tory and economics in Purdue University.

(Thereupon, at 5.30 o'clock p. m., the committee adjourned unt Monday, Jan. 6, 1919, at 10.30 o'clock a. m.)

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NATIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 6, 1919

PART 3

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Monday, January 6, 1919.

The committee met at 11 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

The certificate of incorporation of the National Security League, previously referred to, is as follows:

CERTIFICATE OF INCORPORATION OF NATIONAL SECURITY LEAGUE (INC.).

We, the undersigned, all being of full age and citizens of the United States, and at least one of us being a resident of the State of New York, and being desirous of associating ourselves together for the purpose of forming a membership corporation as hereinafter more particularly described, pursuant to and in conformity with an act of the legislature of the State of New York, entitled "An act relating to membership corporations," being chapter 40 of the Laws of 1909 of the State of New York, constituting chapter 25 of the Consolidated Laws of the State of New York and the several acts of the State legislature amendatory thereof and supplement thereto, do hereby made, sign, and acknowledge this certificate for that purpose, as follows:

1. The proposed corporation is not organized nor. to be conducted for profit.
2. The name of the proposed corporation is National Security League (Inc.).
3. The territory in which its operations are to be principally conducted is the United States of America, its territories, and dependencies.
4. The particular objects for which the corporation is to be formed are to secure, through effective investigation, authoritative and complete information in regard to the condition, organization, and methods of administration of our national defenses, naval and military; to ascertain what defects exist therein, and what changes, improvements, and additions thereto are desirable, together with the probable cost thereof; to bring to the attention of the Government and of the people the facts so ascertained with such recommendations as may seem proper; to bring about such organization of citizens throughout the Nation as may make practicable an intelligent expression of public opinion upon the matters presented; and generally to do all things that lawfully and properly may be done to provide for the United States adequate and efficient defenses by land and sea, and thereby a reasonable assurance against war. Also to aid in research of problems affecting the development, welfare, and economic growth of the United States, and in disseminating the results of investigations, whether made by public bodies or private citizens.
5. The principal office of the corporation is to be located in the Borough of Manhattan, city, county, and State of New York.
6. The number of its directors shall be nine.
7. The names and places of residence of the persons to be its directors until the first annual meeting of the members of the corporation are as follows:

S. Stanwood Menken, No. 54 West Fifty-second Street, New York City.
Herbert Barry, Llewellyn Park, West Orange, N. J.
Edward H. Clark, Hotel Netherland, New York City.
Franklin Q. Brown, No. 34 East Thirty-eighth Street, New York City.
J. Bernard Walker, No. 22 Pierrepont Street, Brooklyn, N. Y.
Lawrence F. Abbott, Cornwall, N. Y.
Charles E. Lydecker, No. 11, East Eighty-first Street, New York City..
Frederick H. Allen, Pelham Manor, N. Y.
William T. Hornaday, No. 2186 Loring Place, Bronx, New York City.

In witness whereof we have made, signed, and acknowledged this certificate in duplicate.

Dated January 7, 1915.

STANWOOD MENKEN,
HERBERT BARRY,
EDWARD H. CLARK,
FRANKLIN Q. BROWN,
J. BERNARD WALKER,
JOHN H. ISELIN.

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Mr. JOHNSON. The committee will please come to order.

Before we take up any witness I wish to announce that the co mittee has decided that when the committee adjourns to-day it w adjourn to meet in New York on Thursday morning at 11 o'cloc and notice will be given to such witnesses as we need as to the pla where we wish them to appear.

Mr. HARRISON. Wouldn't 10 o'clock be better than 11 o'clock?

Mr. JOHNSON. It is not meant that the committee will meet New York at 11 o'clock every morning, but only the first mornin We will meet thereafter at 10 o'clock, and we will hold morning a afternoon sessions. No place as a meeting place for the committ has yet been selected, but we will try to do that to-day or to-morro

Now do you wish to make a statement, Mr. Lydecker?

STATEMENT OF MR. CHARLES E. LYDECKER—Resumed.

Mr. LYDECKER. I desire to call attention to a very flagrant error the minutes, on page 163, which is contrary to what I said at th time and at other times. The minutes read, as handed to me:

Mr. LYDECKER. I would like to say that this congressional committee to charge of the matter in June, and no matter what the Carnegie Corporation d all the funds that came in, in contribution to the general funds, were used the congressional campaign committee.

That is exactly contrary to what I said. I said:

None of the funds that came in, in contribution to the general funds.

Mr. WALSH. In whose examination was that?

Mr. LYDECKER. In that of Mr. Saunders.

I then went on to say:

These receipts were detailed and the total receipts were $8,752.85,—

Which I said were the receipts of the congressional committee

and the total amount of disbursements for printing, furniture, postage, congr sional campaign committee, in 1918, were $5,095.68.

Mr. HARRISON: I move that the record as suggested be changed.

Mr. JOHNSON. Your correction can not be in a more conspicuc place than at the beginning of to-day's hearing, and therefore I su gest that you commence now and make such statement as you li about this, because we can not recall the printed hearings that ha gone out. We want you to correct it to your own satisfaction.

Mr. LYDECKER. It is a very great misfortune to have a rec printed which is so directly contrary to the testimony of the witne It has not been said once but several times there that not one dol of this Carnegie Corporation money was used in the congressio campaign.

Mr. REAVIS I had a bulletin, a December, 1918, bulletin, of t story of the league, and I can not find it.

Mr WEST. I can give you one. [Handing paper to Mr. Reavi

Mr. LYDECKER. Before this examination begins, may I make other reque t? And that is in respect to the position the commit takes concerning the expenses which were incurred in bringing do to this hearing in Washington myself and the witnesses and the r

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ards which were the subject of the request of the chairman of the committee. The telegram that I received was that—

The committee desires your attendance at 10 o'clock on the morning of Thursday, the 19th of December, and that you bring with you the executive officers and all books, cards, records, from the organization of the league.

I answered that telegram that I would attend on that morning at 10 o'clock, and I did attend. I desire to know if the funds appropriated, something like $25,000, for the investigation would be used in part to defray the expenses which are being incurred in assisting to have this investigation made thorough and complete? I recognize the desire of the committee as an order, and only to that extent is the willingness or voluntary character of the appearance here to be taken.

Mr. JOHNSON. In making your statement relative to the telegrams, Colonel, you have omitted or failed to mention the most important one which reads as follows. This is a telegram addressed to me in which you say:

Announcement having been made in the press that you are chairman of committee of House of Representatives to make investigation concerning activities of National Security League, I desire to be informed in sufficient time in order to facilitate your work in what manner the league can by giving fullest information concerning the books, records, documents, and other matters which may be the subject of your inquiry.

Now I construed that, and still construe it, as an offer, a voluntary offer on your part to appear, and that is before you had been communicated with at all by the committee. So the committee all along—at least I have—have accepted that as your voluntary appearance. If it had not been so construed, or if you yourself had not taken up the matter first with the committee instead of the committee taking it up with you, then we might have gone to New York sooner; and as soon as you acquainted the committee this morning with the desire to have the committee pay the expenses of yourself and those accompanying you, we immediately concluded to go to New York.

Mr. LYDECKER. Well, the members of this organization in the main have been gratuitously serving and giving their time to what was considered patriotic work, and are not willing to continue carrying themselves and documents outside of the place where they now are. The telegram sent to you was not a telegram which indicated that the league had the means of taking material to distant points, Washington or Chicago, but that they are there and at your disposal, and we are very anxious to facilitate the investigation.

Mr. HARRISON. Mr. Chairman, it strikes me that that is purely a legal question of what the former committees have done. I think if you voluntarily came here, you ought to be entitled to the witness fees as though we had sommoned you to come, if you had been entitled to witness fees; and it is the question of whether or not it has been the practice of the House to pay witnesses in such cases as this. If it should be construed that you were defendants, probably you would be allowed expenses, but if you were merely witnesses you probably would be allowed only witness fees, and I suggest that this matter be held in abeyance for the present and that we discuss it later.

Mr. REAVIS. In any event, the witnesses who have so kindly come

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without the issuance of process would not be entitled to expenses. They might be entitled to mileage and witness fees.

Mr. LYDECKER. I must protest against that ruling, because it appears that an appropriation of $25,000 is made for the purpose of investigation of the National Security League, and the committee has expressed its desire that the witnesses present themselves here at this point. The presumption is that they present themselves here not at their own expense, it being a matter of considerable moment. How far I may be justified in expending any moneys that are contributed to the National Security League by bringing witnesses here, or how far I should pay out of my own pocket—or these witnesses—is a matter that, of course, must be decided properly and equitably, but the equitable disposition of the matter, it seems to me, where there is an investigation concerning the congressional activities of this league, and the money is appropriated for that purpose, that what witnesses you require for your enlightenment should have the ordinary compensation of payment made to defray their expenses. That is all they can ask.

Mr. REAVIS. Supposing process had been issued for you to appear here as a witness and for you to bring with you the books of this concern; you would be entitled only to your mileage and witness fees, and not to your expenses.

Mr. LYDECKER. I beg pardon, sir. Do you mean that the cost of bringing several tons of material here would be included in my mileage?

Mr. REAVIS. Not as a matter of law. It might as a matter of gratuity or a matter of equity.

Mr. LYDECKER. Well, now, I do not wish to appear unfair in any way and to detract in any way from the generous impulses of all the gentlemen that have been trying to act in connection with this National Security League for the good of the country. Whatever is going to be for the benefit of the country—if this expenditure of money for this investigation, the expenditure of less than $6,000, is of benefit to the country and the country says we are not entitled to any compensation by way of expenses—defraying the expense of coming here, why, I submit.

Mr. HARRISON. We will have to take that up in executive session later.

Mr. JOHNSON. Yes; that can come later.

Mr. REAVIS. My. Lydecker, to resume the examination interrupted the other evening by adjournment, we were under the second subdivision of your report referring to the future activities of the league, and you were giving me the personnel of the committee that had charge of the efforts of the league to steady the Nation. The last name you gave me was Dr. Thomas F. Moran, professor of history and economics in Purdue University. Are there any other men of that committee whose names you did not give me?

Mr. LYDECKER. First, I can not answer your question, because it involves a statement that I did not make.

Mr. REAVIS. As I understood your examination the other day, I asked you this question:

> Now, what is the committee that involves the steadying of the United States so that it will maintain freedom, justice, law, and liberty? Have you appointed your committee on that?

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To which you replied:

The committee on organized education.

Then I asked you——

Mr. LYDECKER (interposing). Has been appointed—the committee on organized education has been appointed.

Mr. REAVIS. Let me repeat the question. I asked you the other day this question near the conclusion of your testimony:

Now, what is the committee that involves the steadying of the United States so that it will maintain freedom, justice, law, and liberty? Have you appointed your committee on that?

Your reply was:

The committee on organized education.

I then asked you the personnel of that committee. You gave me a number of names, stopping with the name of Dr. Thomas F. Moran, professor of history and economics in Purdue University. Are there any other members of that committee whose names you did not give to me in response to that question?

Mr. LYDECKER. I do not—I will answer your question as to the committee concerning organized education. I will answer——

Mr. REAVIS (interposing). Just a moment, Mr. Witness, please. I would like to have you answer the question I asked you.

Mr. LYDECKER. I will not answer any question as to any committee on steadying the Nation, because I told you distinctly in my testimony that the report does not say that any committee was to be appointed for that work, being the work of the—in your question reading:

Steadying the Nation by a great propaganda for the maintenance of the principles of freedom, justice, law, and liberty.

Therefore I can not answer your question, which involves a statement which is exactly contrary to my testimony.

Mr. REAVIS. I will call your attention to the transcript of the testimony taken on the last day of this hearing and ask you to look at page 365.

Mr. LYDECKER. I have it before me.

Mr. REAVIS. Now, the question that is asked you was as follows, was it not:

Now, what is the committee that involves the steadying of the Nation so that it will maintain, freedom, justice, law, and liberty? Have you appointed your committe on that?

To which did you not reply:

The committee on organized education.

Did you not make such reply?

Mr. LYDECKER. That is correct and follows my statement that no committee had been appointed for the particular part that you have just read, concerning "steadying the Nation."

Mr. REAVIS. But the last statement you made in your testimony with reference to the committee whose activities were to be directed toward steadying the Nation was that that was the committee on organized education, was it not?

Mr. LYDECKER. That is one of the committees.

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Mr. REAVIS. Will you give me the names of any others of the members of this committee that you did not give me in your former testimony?

Mr. LYDECKER. Yes. I have mentioned the names, I think in full, of the committee on organized education, but have not given you the names of the committee on unity of language.

Mr. REAVIS. Now, Mr. Lydecker, I did not ask you anything about the committee on unity of language, and the volume of this record will be about half as large as it is if you will just kindly pay attention to the question.

The question was: Are there any other men or persons on the committee on organized education whose names you have not given me?

Mr. LYDECKER. There are not.

Mr. REAVIS. You have given all of them?

Mr. LYDECKER. I think so.

Mr. REAVIS. Now then, has the matter ever been taken up with the members of this committee as to the activities they are to pursue under the further conduct of this league?

Mr. LYDECKER. This committee has been in existence throughout the entire period of the war, with slight changes in personnel, and was called the committee on patriotisms through education; and the activities of the committee were not changed by that bulletin which you have quoted from, but were continued.

Mr. REAVIS. Now, that does not answer my question at all as to whether the activities of the committee were changed nor how long it has been in existence. The question was: Have the members of this committee been advised as to their activities under the further prosecution of the activities of this league?

Mr. LYDECKER. I shall have to refer you to Dr. McElroy, the chairman of that committee, because I have no particular knowledge, except the publications that you have before you, of the notification which has gone to them.

Mr. REAVIS. Has this committee on organized education, which you told me the other day was to be the committee in charge of the propaganda to steady the Nation, had a meeting recently?

Mr. LYDECKER. Had a meeting recently?

Mr. REAVIS. Yes.

Mr. LYDECKER. I don't know, sir.

Mr. REAVIS. Aren't there many persons whose names are connected with the personnel of this committee who have never met with you?

Mr. LYDECKER. Not to my knowledge.

Mr. REAVIS. Has Henry Allen ever met with you—the governor-elect of Kansas?

Mr. LYDECKER. I do not know, sir.

Mr. REAVIS. Henry Allen has been in France since the beginning of this war, has he not?

Mr. LYDECKER. The members of that committee are not under my observation. You will have to ask Dr. McElroy who will give you any information concerning the committee.

Mr. REAVIS. I am testing your knowledge now. You do not know?

Mr. LYDECKER. Absolutely not.

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Mr. REAVIS. You do not know whether certain members of this committee have ever met with this committee or not, do you?

Mr. LYDECKER. I do not.

Mr. REAVIS. Has Dr. John H. Filley, commissioner of education of New York, ever met with the committee?

Mr. LYDECKER. The gentleman's name is Finlay.

Mr. REAVIS. Yes; I read it wrong.

Mr. LYDECKER. I don't know. I presume he has been in to see Dr. McElroy several times.

Mr. REAVIS. Do you know just what method this committee is to pursue for the activity denoted in your statement contained in this bulletin?

Mr. LYDECKER. The witness has not stated that the activities of the committee since that bulletin was published have been either distinctly formulated or prosecuted, for the reason that it is only a very few weeks ago that that bulletin was printed. The activity of the committee, which continued long before, was an activity which resulted in the publication of a series of pamphlets which I have before me, some fifty odd in number, which are at the inspection of this committee.

Mr. REAVIS. Now, Mr. Lydecker, if you will pardon me again, I did not ask you anything with relation to the activities of the committee in the past.

Mr. LYDECKER. You did ask me about the activity at the present time, and I answered you.

Mr. REAVIS. Will you kindly read the question that I asked?

(The question was read as follows:)

Do you know just what method this committee is to pursue for the activity denoted in your statement contained in this bulletin?

Mr. REAVIS. Now that refers to future activities, not past activities.

Mr. LYDECKER. Yes: and I will ask the chairman of this board if this committee is sitting concerning the activities of the league that are to be hereafter performed, or whether I am to answer concerning the activities that the league has performed?

Mr. JOHNSON. I certainly think both; and I might say that I have not suspected until now—particularly in view of your telegram offering to come down here—that there was anything you wished to evade concerning the activities of the league.

Mr. LYDECKER. If anything that I have said indicates that there is any desire to evade anything, I desire to have it understood that there is no such intention or purpose.

Mr. JOHNSON. Well, I am very glad to hear you say that, because your answers have not been direct; they have been far from it indeed, and by your refusing—declining to answer the questions which Mr. Reavis has just put to you, and by your appeal to me as chairman of the committee, as to whether or not you should answer it, it appears to me that you are both evasive and unwilling.

Mr. LYDECKER. I will try and dispel that idea as fully as it is possible, and I will answer the question. May the question be read to me once more?

Mr. REAVIS. May I put it again?

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Will you kindly state, if you know, what activity this committee is to pursue in the creation or issuance of a great propaganda for steadying the Nation?

Mr. LYDECKER. I have before me, in my hand, a little statment showing exactly what it is intended to pursue, and I desire to read it for the record.

Mr. REAVIS. Did you prepare that statement?

Mr. LYDECKER. In part I prepared it, in collaboration with the educational director—or he prepared it in collaboration with me.

Mr. REAVIS. Will you kindly refresh your recollection from that statement and answer the question as to what this committee is to do, or contemplates doing along the line of steadying the Nation?

Mr. LYDECKER. This paper states it very distinctly as follows:

> We do not wish to Americanize the inhabitants of other countries. On the contrary, we wish to see them develop according to the genius of their own people. We do, however, wish to Americanize all the inhabitants of our country whose future belongs to our future.

This is our pressing problem.

Mr. REAVIS. I ask your pardon for interrupting you. You are reading some document, are you not?

Mr. LYDECKER. I am.

Mr. REAVIS. I want you to refresh your recollection from it, if necessary, and state what you know, after refreshing your recollection, as to the purpose of this committee and its intention, and its method of steadying the Nation.

Mr. LYDECKER. The intent is to recognize two classes of persons in this country: Those who are in attendance at organized institutions and schools and colleges, high schools, and those who are of the adult class and who are reached in other ways. It is the intention of this to extend this problem of education, which we regard as the subject of Americanization, to the schools and the colleges and the institutions, by having them taught what the ideals of our Government are, what the origin of the Government was, what the enemies of the Government have done to undermine it—on which I may say we regard the general subject of "German kultur" as undermining.

Our plan and operation is to reach the teachers. We have some 967 centers where the teachers are being supplied with certain literature prepared by the ablest men—writers—whose aid and assistance we can get from their patriotic motives. Some of them I have here—all of them I have here.

Mr. REAVIS. May I inquire—those documents which you say you have there are documents that were issued by the league?

Mr. LYDECKER. And which are still in our activities being distributed.

Mr. REAVIS. Which were issued by the league before this so-called reorganization of the league for active after-war work?

Mr. LYDECKER. I have told you there was no reorganization of the league for active war work. I have told you that that headline was not exactly accurate. I have told you that there was a renaming—a slight change in the personnel of the committees, but that the work concerning education which has been carried on is being continued practically as it was before.

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Mr. REAVIS. Now, do I understand you, then, that these pamphlets were not issued by the league prior to the meeting of the 13 or 14 individuals in the Lawyers' Club in New York; or were they issued prior to that meeting?

Mr. LYDECKER. They have been issued prior to that meeting, and have been issued from time to time for a long period. We had 300,000 members in the summer schools this last summer——

Mr. REAVIS (interposing). Mr. Witness, I just asked you as to the time, not as to the volume of——

Mr. LYDECKER (interposing). I am giving you the time.

Mr. REAVIS. No; you are giving the volume. This talk about this 300,000 hasn't any relation to my question at all.

Mr. LYDECKER. I am giving you the time when the teachers received these pamphlets.

Mr. REAVIS. Was it before or after your meeting in the Lawyers' Club in New York?

Mr. LYDECKER. It was long prior to that. I don't know what meeting you mean—in the Lawyers' Club.

Mr. REAVIS. Let me see if we can find out. Can you recall that you testified that there was a meeting of some 13 or 14 individuals in the Lawyers' Club at New York, a meeting of what I think you called the "executive committee," in which it was determined to continue the efforts of the league after the war? That is as I recall your testimony.

Mr. LYDECKER. I did not say that.

Mr. REAVIS. You did not say that?

Mr. LYDECKER. No.

Mr. REAVIS. There was a meeting of 13 or 14 men——

Mr. LYDECKER (interposing). There was a meeting of the executive committee at which there were 13 or 14 men whose names were given to you at your request.

Mr. REAVIS. For what purpose?

Mr. LYDECKER. It was a regular meeting of the executive committee at which a report was made.

Mr. REAVIS. With reference to after-war work of the league?

Mr. LYDECKER. Not reorganizing.

Mr. REAVIS. I did not use the term "reorganizing."

Mr. LYDECKER. You did a minute ago.

Mr. REAVIS. When you corrected me I did not use it any more. I was quoting from your bulletin. Now, just keep your mind on my questions, colonel, and you and I will get along splendidly.

Mr. LYDECKER. I think so.

Mr. REAVIS. I asked you for the meeting of the 13 or 14 members in the Lawyers' Club in New York, at which you made a report, which report was approved at that meeting.

Mr. LYDECKER. Exactly.

Mr. REAVIS. And that report referred exclusively to the work to be prosecuted by the league after the war, did it not?

Mr. LYDECKER. That is right.

Mr. REAVIS. Now, whether you call it "reorganization" or not, those are the facts?

Mr. LYDECKER. Yes.

Mr. REAVIS. And one of the items in that report, made by you, was steadying the Nation?

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Mr. LYDECKER. Yes.

Mr. REAVIS. Now, I am trying to get not what a committee on education may have done in the past, but what it contemplates doing in the future?

Mr. LYDECKER. Then you will let me finish may answer?

Mr. REAVIS. I will let you finish your answer if you will answer the question and not wander all over the unlimited perspective.

Mr. LYDECKER. I was answering the question when you interrupted me. I gave you one-half of the answer, which related to the activities that this committee were prosecuting and intending to prosecute. I gave you one-half of it when you interrupted me, and I want to finish my answer to that question.

Mr. REAVIS. I will be delighted to have you finish if you will answer the question and not get onto the 300,000 publications that were sent out while the war was still going on.

Mr. LYDECKER. I did not say 300,000 publications. I said these publications which you asked me whether they had been distributed before the 13 men met—had been distributed, and I told you that they had been distributed during the summer, when we had under education some 300,000 teachers, and I did not say anything about 300,000 pamphlets. I gave you the time when those pamphlets and those literature products were given out by the league.

Mr. REAVIS. Now, Mr. Witness, I asked you with reference to the circulation of those bulletins, because I had a suspicion that you were not answering the question, but were talking about things occurring in the past and of contemplated things in the future, and that is what I want.

Mr. LYDECKER. I never said that the December bulletin was distributed in June, as long as I have sat here.

Mr. REAVIS. Now, I wish you would continue your answer and confine it to the contemplated activities of this committee.

Mr. LYDECKER. I will do so.

Mr. REAVIS. In its efforts to steady the Nation.

Mr. LYDECKER. I will do so. The effort to steady the Nation, which was contemplated to be in part performed by the committee on organized education, related to the development of thrift among the negroes in the South, and a very interesting document was written by Dr. Louis B. Moore, dean of the Teachers' College and professor of psychology and education in Howard University, which under the authority of the superintendent of education in the State of Mississippi is being given to the teachers of the colored race in the South, and every effort is being made to inculcate in this portion of the community, under the educational authority of this State, help for the improvement of the electorate.

Mr. REAVIS. May I ask you a question right there, Colonel?

Mr. LYDECKER. Won't you let me finish?

Mr. REAVIS. This document which you have just referred to is a continuation of work that was commenced before the war stopped—before the armistice was signed?

Mr. LYDECKER. It certainly is.

Mr. REAVIS. Then it is not a new activity, is it?

Mr. LYDECKER. Well, there is a new thing every day. I don't know how new it is. I don't know how far we may have gotten with

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the two or three hundred centers that were being reached. We are reaching now in succession—it goes on from day to day—the educational authorities of Alabama, Georgia——

Mr. REAVIS (interposing). You will pardon me if I interrupt you again. I wasn't asking you that. I was asking you whether this was a new activity.

Mr. LYDECKER. I have told you at least twenty times that this organized education committee is not a new committee; it is not a new activity; it is not in any way to be characterized as a reorganization of activity.

Mr. REAVIS. Now, I did not ask you whether the committee was a new committee——

Mr. LYDECKER (interposing). I can not answer any more.

Mr. REAVIS. I did not ask you whether the committee was a new committee, but I asked you whether the pamphlet prepared by somebody connected with the Howard University was a new activity or a continuation of an old activity that began before the armistice was signed.

Mr. LYDECKER. It was a continuation of an activity that began before the armistice was signed.

Mr. REAVIS. Now, I want you to tell me, if you can, what new activity this committee is to prosecute, if any—this committee of the league?

Mr. LYDECKER. On organized education?

Mr. REAVIS. Yes; on organized education, with reference to steadying the Nation. Not what continuation will be carried on, but what new activity, if you can say.

Mr. LYDECKER. If I were a brilliant prophet, I might tell you what the point of application of this general princple would be; but as I am not a prophet, and as we are being reached by the educators of the United States, urging that we attempt this and that we attempt that, all along the line of our plan of security to Americanization, I can not tell you what the next new activity, after we finish—we are engaged in the activity of having the patriotic organizations of the schools, in the high schools, under the plan that Dr. Preston has arranged.

Mr. REAVIS. Was that function instituted subsequent to the armistice?

Mr. LYDECKER. Oh, no.

Mr. REAVIS. Now, you see you have wandered all over the field without answering the question.

Mr. LYDECKER. You are asking me what the new activity is, and the new activity is new when it goes on right along under the general principle under which this committee is working, to steady the Nation—which phrase you love to hear—and to extend the propaganda for freedom and justice, which was expressed perhaps a little grandiloquently in that bulletin, but is the exact purpose and intention of that committee.

Mr. REAVIS. Now, just a few minutes ago, when you began your examination, you declined to answer my question at the beginning, because you stated that I was assuming that this was the committee that was to act on this propaganda to steady the Nation. You now admit it was?

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Mr. LYDECKER. I shall object still, because you will not admit what I have told you a great many times—that that is only one of the committees of the Security League which is engaged in that general phase that you have assumed related only to the committee on organized education, but which did not.

Mr. REAVIS. Then you mean in your present answer to give me that attitude that this is only one of the committees, and that it did not have exclusive control of your designs to steady the Nation?

Mr. LYDECKER. The entire purpose of the league was stated in that program in a general way, and, as I have stated, the successive committees took up the phases of the matter as their attention would be required to do it.

Mr. REAVIS. In several places in your report you speak of reorganizations and reconstructions, and of the need after the war for certain things to be accomplished, and then you summarize them in eight separate paragraphs; among them is this, "steading the Nation by a great propaganda."

Do I now understand you to mean that this was not the purpose of the league, to start out any new propaganda, but merely to continue along the general lines that it had been working on during practically the whole of its existence?

Mr. LYDECKER. I think that is correct.

Mr. REAVIS. So that this statement with reference to future activities, so headed in the bulletin in your report, means a continuation of past activities, rather than the institution of new activities for the future?

Mr. LYDECKER. Well, I don't think that is a fair conclusion. I think that if you are plowing a field and have gotten it half plowed, and if you continue plowing the field that will be your future activity. But it doesn't follow when you say that, that is all the activity that you are to pursue. I don't think it says so anywhere in this report. I think you are trying to misconstrue it entirely by putting an interpretation of that kind on it.

Mr. REAVIS. Well, I am quite sure that your opinion or my opinion of it would not be illuminating to this committee in its effort to investigate the Security League; but if you started to plow a field, your main general purpose was to get the field plowed?

Mr. LYDECKER. Yes.

Mr. REAVIS. And the continuation of the plowing would be toward the main general purpose?

Mr. LYDECKER. And would be a future activity; yes, sir.

Mr. REAVIS. It would be a future activity?

Mr. LYDECKER. Yes.

Mr. REAVIS. But you wouldn't have to reorganize the work in any way to plow that field.

Mr. LYDECKER. I never attempted to reorganize the work of that committee.

Mr. REAVIS. But your bulletin, that goes out to some 80,000 members of the league, of which you were the president——

Mr. LYDECKER (interposing). Yes, sir.

Mr. REAVIS (continuing). Seeks to leave the impression with those to whom you are appealing for funds that it was going to be reorganized, does it not?

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Mr. LYDECKER. Yes; and it was to a certain extent reorganized.

Mr. REAVIS. One moment you say there is no reorganization and the next minute you say there is. Now, which was the fact?

Mr. LYDECKER. So far as the great exhortation to win the war—which was the main purpose of the activities of the league before the armistice was signed—that terminated. Those opportunities for orators, literature, exhorters, workers in the other field to win the war ceased their operations, and to the extent that this patriotic work was diverted and moved along you are correct, and I was correct in calling it "reorganization."

Mr. REAVIS. Then our minds have finally met on the proposition that it was a sort of a reorganization.

Mr. LYDECKER. If you agree, our minds have met.

Mr. REAVIS. That it is sort of a reorganization of the league for after-war purposes?

Mr. LYDECKER. Yes.

Mr. REAVIS. With a reorganization of activities, do I understand you, Colonel, or a continuation of old activities?

Mr. LYDECKER. Well, in so far as the relations of the activities in respect to each other changed, why, they were partly continued. The patriotic aspect of our work, the educational aspect of our work was continued. The suggestion of the opportunity to be of some use in the matter of the discussion of the questions of peace was an entirely new thought.

Mr. REAVIS. Well, now, let us take No. 4, demanding a just administration of law regarding naturalization. That was an after-war activity, was it not?

Mr. LYDECKER. No, sir.

Mr. REAVIS. It was not?

Mr. LYDECKER. No.

Mr. REAVIS. What was your idea with reference——

Mr. LYDECKER (interposing). I would not say it was not new. It was an after-war activity; yes; but not a new one.

Mr. REAVIS. What efforts did you make to secure a just administration of the law on naturalization while this war was going on?

Mr. LYDECKER. I don't think we made very many. We had two or three very valuable essays that were the subject of, I think, distribution, but that was not an active war propaganda at all, and Miss Keller's work and Mary Anglin's and several others of our writers—a pamphlet that we issued called "Americanization Service" was issued during the war activities.

Mr. REAVIS. But their activity as disclosed in your bulletin was not for the purpose of securing legislation on administration; it was for the purpose of securing just administration of laws already enacted?

Mr. LYDECKER. I have corrected that interpretation of that language before. I have said, and I say now, meaning that a just administration did not mean simply the administration of the enacted law, but it meant also, so far as the enacted law was incomplete, to have an administration under proper law.

Mr. REAVIS. Well, now, Colonel, when you are sending out your bulletin that publishes under the headlines "Reorganization of the National Security League," and publishes the report which you your-

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self made in a paper that appeals to those to whom the bulletin is sent, to send funds into the league for the purpose of prosecuting these activities, why didn't you say what you mean? If it was not a reorganization, why did you say it was a reorganization? If you did not mean a just administration of naturalization laws, why did you say so? This is your language.

Mr. LYDECKER. I don't consider it necessary to explain it any further—why I said——

Mr. REAVIS (interposing). Has anybody asked you your purpose in saying something which you say you now did not mean at any time during this hearing?

Mr. LYDECKER. I don't admit that I said I did not mean anything that I said.

Mr. REAVIS. Did you mean when you put in your report and sent it out to these people from whom you are soliciting funds, that part of the reorganization of this league was the activity to create a just administration of the law regarding naturalization—did you mean that?

Mr. LYDECKER. I never said there was a reorganization of the league.

Mr. REAVIS. I thought you said a moment ago that in a way it was a reorganization.

Mr. LYDECKER. I did not say a reorganization of the league. I said reorganization of activities.

Mr. REAVIS. All right, reorganization of activities, we will put it. Then did you mean when you sent out to these people, pleading with them to contribute funds to this league, that the reorganization of the activities of this committee was in some sense to be along the line of creating a just administration of the law regarding naturalization?

Mr. LYDECKER. I did not think anybody was being deceived by the statement of what was being done in the reorganization of the activities, that it meant that was a new thought. Everybody knew we had been doing that.

Mr. REAVIS. I did not ask you whether you thought anybody was being deceived or not; I asked you this question: Did you mean in filing this report and publishing it in this bulletin that one of the activities of this league was to create a just administration of naturalization laws?

Mr. LYDECKER. Was to be—future activity. One of the future activities was to be; yes; I did mean that.

Mr. REAVIS. Then that was a future activity, while a moment ago you were showing me a pamphlet to show me it was a continuation of old activities.

Mr. LYDECKER. Yes; just like plowing the field.

Mr. REAVIS. Now, was it a future activity or a continuation of an old activity?

Mr. LYDECKER. Just like plowing the field that is half done or one-quarter done, or anything else; yes; future activity, not a new one.

Mr. REAVIS. Do you know anything with reference to the administration of the naturalization laws in this country during the progress of this war? Do you know whether aliens were being naturalized while the war was going on?

Mr. LYDECKER. I do.

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Mr. REAVIS. Were they or were they not?

Mr. LYDECKER. They were.

Mr. REAVIS. But your propaganda was a new activity in the sense that you say you were to continue to plow the field, and did you mean that the naturalization had been unjustly administered and you were seeking to correct that evil?

Mr. LYDECKER. I mean anything that you find under my handwriting, and I do not think there is anything that has been stated by me as meaning that anybody has been charged with venality or any other offense in the administration of the naturalization laws; but I believe I have indicated——

Mr. REAVIS (interposing). Now, let us get down to that——

Mr. LYDECKER (interposing). Allow me to finish, please—that our naturalization laws were somewhat chaotic and not by any means as well made or well carried out as they could be.

Mr. REAVIS. Then why did you not say that you were intending to exercise your activities along the line of securing the enactment of just naturalization laws, rather than say "securing a just administration of naturalization laws"?

Mr. LYDECKER. Well, I think it may have been half-past 11 when I wrote it, and I did not write with as much care, perhaps, in the exactitude of speech as would satisfy a Congressman.

Mr. REAVIS. Yet, you have——

Mr. LYDECKER (interposing). I hope I will be held responsible for whatever blame may be attached to my imperfections of expression.

Mr. REAVIS. Then, do I understand you that that does not correctly express the activity of the league along the line of naturalization laws?

Mr. LYDECKER. It did exactly express what I felt, but apparently it does not express to your mind the same; and as our use of language in different minds appears to convey different thoughts, I do not seem to have satisfied you as well as I satisfied myself, and I am not going to interpret your meaning now.

Mr. REAVIS. Well, my interpretation of it is of no consequence.

Mr. LYDECKER. No.

Mr. REAVIS. The only thing of consequence, so far as this hearing is concerned, is whether or not you meant what you said in this bulletin.

Mr. LYDECKER. Apparently I meant more than I said in that bulletin. Apparently I meant a just administration as well as the enactment of just laws.

Mr. REAVIS. But you said a moment ago that you knew nothing about any injustice in the administration of naturalization laws. Now, if you knew nothing of any injustice being done in the administration of these laws, what do you think was the necessity for the activity of this league along that line?

Mr. LYDECKER. Well, sir, if you really want to know what I thought was necessary——

Mr. REAVIS (interposing). I have been doing my best to get it.

Mr. LYDECKER. I am going to try to relieve your wish.

My idea of the necessity of a just immigration—naturalization law was to prevent——

Mr. REAVIS (interposing). Was what?

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Mr. LYDECKER. Was to prevent ignorant and newly arrived foreigners from being given the franchise without a sufficient requirement of knowledge of our country and its governmental characteristics.

Mr. REAVIS. Now, did you know that that had been done or was being done?

Mr. LYDECKER. Did I know that what had been done?

Mr. REAVIS. That men so deficient in qualifications were being given the right to citizenship in this country.

Mr. LYDECKER. Oh, yes.

Mr. REAVIS. You did know?

Mr. LYDECKER. Yes.

Mr. REAVIS. Then you knew of this injustice in the administration of the naturalization law?

Mr. LYDECKER. Do you call that an injustice? I did not call it an injustice.

Mr. REAVIS. What did you mean by "just administration"? When I asked you the question what you mean by it, you cited this: That men deficient in learning, in the knowledge of our institutions, in their knowledge of our language, shortly after their arrival to our shores, were being admitted to the rights of citizenship. Weren't you citing that as an instance of unjust administration of the laws?

Mr. LYDECKER. I think that was my mental attitude then, and my mental attitude is the same now, that it is an injustice to a citizen, to the resident, native-born citizen, and to those who administer our laws, to have such voters given parity of power.

Mr. REAVIS. Now, Colonel, you and I are not going to quarrel about that. I think so myself, but I want to ask you this question: If you did not know of that being done, and if you did know that that was the purpose of this committee—that it was the purpose of this committee to seek to stop that being done—why did you say to me a moment ago that you did not entirely intend just what this language indicates you intend?

Mr. LYDECKER. I said I did not, apparently in your mind. I did not say—I said I intended exactly that, and apparently I intended more, according to your interpretation.

Mr. REAVIS. Didn't you also tell me that it would have more correctly represented your attitude, your mental attitude, if you had put in there the enactment of just naturalization laws, rather than the administration?

Mr. LYDECKER. No: I did not say that.

Mr. REAVIS. You did not say that?

Mr. LYDECKER. No; I said those words, to my mind, when they were written, were intended to convey and did convey what I thought but apparently they did not to you. And I want to finish my answer before.

You asked me if I knew about these cases of naturalization of ignorant men without any exaction, and I want to say I have known it all my life.

Mr. REAVIS. Then when you stated a while ago that you did not know of any injustice being done with reference to the administration of naturalization laws, this momentarily had escaped your mind?

Mr. LYDECKER. Well, the explanation of injustice which I gave a moment later admitted that the former expression was too broad, in

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saying that I knew of no injustice, because I mean an injustice in the nature of impropriety of conduct on the part of officials, which you seem to be harping on.

Mr. REAVIS. But that would not be injustice, would it?

Mr. LYDECKER. Oh, yes.

Mr. REAVIS. That would be—is that what you now want the committee to understand, that you meant by the word injustice——

Mr. LYDECKER (interposing). A minute ago, I will say, that under this examination that was the thought that passed into my head in making my answer.

Mr. REAVIS. That you were then thinking——

Mr. LYDECKER (interposing). Yes.

Mr. REAVIS (continuing). Of conduct that was more incorrect?

Mr. LYDECKER. I was trying to think of what you were thinking.

Mr. REAVIS. Never mind about what I am thinking. Do not try to follow my mental operations. Try to answer these questions without shooting at the illimitable perspective when you do it.

Now what did you expect this committee to do with reference to removing the unjust administration of naturalization laws?

Mr. LYDECKER. Well, listen to good advice when you can get it.

Mr. REAVIS. To whom is this committee to give its advice?

Mr. LYDECKER. To listen to good advice when you can get it. You asked me what this committee—what Congress was to do.

Mr. REAVIS. No; what this committee was to do.

Mr. LYDECKER. About what?

Mr. REAVIS. With reference to rectifying the unjust administration of the naturalization laws.

Mr. LYDECKER. Listen to advice, I said.

Mr. REAVIS. Well, the committee's service would be not what it takes in but what it gives out. If it merely listens to advice and does not act on it, it is not going to be of very great service. What are the activities of this committee?

Mr. LYDECKER. I can not teach Congress what it shall do.

Mr. REAVIS. Well, Congress don't administer laws; it merely enacts them.

Mr. LYDECKER. Yes.

Mr. REAVIS. Now, you are going to seek a just administration.

Mr. LYDECKER. You confine me to what I said was not the intention of that expression.

Mr. REAVIS. But you say in this pamphlet that seeks to get contributions that you are going to create a just administration of law regarding naturalization. Now, how are you going to do that? What are you going to do?

Mr. LYDECKER. Circulate pamphlets like this one called "Americanization Service—What Every American Can Do," and we are going to circulate this pamphlet "Americanization and the Americanization Problems," written by Arthur Summers. We are going to take several others of those and give them to people who will be interested enough to read, so that they may become awake to the wisdom of the thought.

Mr. REAVIS. That is, to create a public sentiment on it.

Mr. LYDECKER. We are going to distribute the paper by Will H. Allen, "How to Become an American Citizen," whom you say has

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not had anything to do with this committee on education. Things of that kind have been the plan. Whether they will modify that plan and find a better one, I don't know. That is the general idea of our work, to try to stimulate thought and enlightenment.

Mr. REAVIS. You are familiar with the last immigration law passed by Congress, are you not? You may have your mind called to it by the fact that there was quite a contest over the literacy test in the law.

Mr. LYDECKER. I know only generally. This activity of the league has been an activity long prior to my presidency. It has not been under my direction practically except as a continuation, as it was a continuation since June last, during the war. It has not been an active matter at all. It was a matter before the war.

Mr. REAVIS. But you made a report since you became president?

Mr. LYDECKER. Yes.

Mr. REAVIS. Looking to activities to secure a just administration of the laws, did you not?

Mr. LYDECKER. Yes; a continuation of activities.

Mr. REAVIS. Now, do you know anything about the naturalization laws of the country?

Mr. LYDECKER. Yes; I have known quite a little about it, because, as I say, this work of Miss Keller's, a very excellent work which defines the inequalities concerning the naturalization laws of the various States, and so far as the congressional act is concerned, I am aware of that discussion about the literacy test. But I do not——

Mr. REAVIS (interposing). The law carried a great many features. I merely referred to that, thinking it might aid you in remembering.

Mr. LYDECKER. As I say, the activity of this committee on naturalization is a relic of the activities of general education, the national end of it, that I inherited when I became president. It has not been discontinued and we haven't any intention of discontinuing it.

Mr. REAVIS. You don't claim any particular familiarity with the naturalization laws of Congress, especially the last one?

Mr. LYDECKER. No; I do not.

Mr. REAVIS. Then you were not in position to state at the time you made this suggestion, and at the time your report was filed, whether there was a just naturalization law on the Federal Statute books or not, were you?

Mr. LYDECKER. I don't think I assumed ever to say so.

Mr. REAVIS. Do you recall that President Taft vetoed the naturalization law, and it was passed over his veto?

Mr. LYDECKER. I think so. I think I remember that incident.

Mr. REAVIS. You remember the incident?

Mr. LYDECKER. I think I do.

Mr. REAVIS. Did you know that the Sixty-fourth Congress——

Mr. HARRISON (interposing). It failed to pass over President Taft's veto, but it was passed over President Wilson's veto.

Mr. REAVIS. The Sixty-fourth Congress passed the naturalization law over the veto of President Wilson; the Congress before this one. Did you know that fact?

Mr. LYDECKER. That is my impression. My impression is, if you wish me to give you the best knowledge that I have why such a

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committee might be permitted to continue under my presidency as I had before in this report, it was the lack of uniformity throughout the United States.

Mr. REAVIS. Of course, that would be referring to State laws rather than Federal laws.

Mr. LYDECKER. The Federal law, of course, can supervene State law if it chooses to do so.

Mr. REAVIS. But your reference to the lack of uniformity was an impression with reference to State laws, of course?

Mr. LYDECKER. And of the failure of Congress to exact uniformity. I understand that if Congress passes an act——

Mr. REAVIS (interposing). Has there been any suggestion on your part or on the part of your league to Congress with reference to the character of laws you would like?

Mr. LYDECKER. I don't know. Not by me.

Mr. REAVIS. Do you contemplate making any suggestions in the future?

Mr. LYDECKER. I am not a prophet, and I can not say what this committee may work out.

Mr. REAVIS. I did not ask you to predict what might be done; I asked you what you contemplated.

Mr. LYDECKER. I personally?

Mr. REAVIS. Yes.

Mr. LYDECKER. I don't hope to live to see the necessary changes.

Mr. REAVIS. I mean, of course, as president of the league.

Mr. LYDECKER. As president of the league, I am only in a position to carry out the ideas of the executive committee. I am not the czar of this league.

Mr. REAVIS. Now, let us see about that, Colonel. The executive committee got together and acted favorably on carrying out something that you suggested?

Mr. LYDECKER. They did.

Mr. REAVIS. So you do suggest to the executive committee, rather than carry out what the executive committee suggests to you?

Mr. LYDECKER. No; not "rather than."

Mr. REAVIS. Well, that is what was done anyway, was it not?

Mr. LYDECKER. I am suggesting, whenever I see fit.

Mr. REAVIS. And among the things that you suggested was the just administration of the naturalization laws?

Mr. LYDECKER. No; it was not one of the things that I suggested. One of the things that I suggested was that among the future activities of the league—which might be continued as it states there, as an immediately present and possible activity—was the question of a just administration of the naturalization laws.

Mr. REAVIS. And that was approved by the executive committee?

Mr. LYDECKER. The executive committee approved that as it is.

Mr. REAVIS. And their approval was of your suggestion to them, rather than a suggestion from them to you?

Mr. LYDECKER. They do not suggest to me. They order. I take orders from my committee, and they make orders frequently upon my suggestions.

Mr. REAVIS. Now, you do not know what this activity is to be, nor do you know whether the league contemplates the propaganda with Congress looking to a uniform naturalization law?

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Mr. LYDECKER. Well, I don't think they anticipate trying to do any damage to any Congressman through it.

Mr. REAVIS. Well, you have changed your course markedly if you haven't such an anticipation in your mind at this time.

Mr. LYDECKER. No; there has been no intention to do any personal injury. Everything has been——

Mr. REAVIS (interposing). But I did not ask you whether there was any personal injury anticipated or contemplated. I did ask you this: Does the committee contemplate taking up the matter of a uniform naturalization law with the Congress?

Mr. LYDECKER. Your question is beyond the mental power of the witness.

Mr. REAVIS. You don't know whether they contemplate that or not?

Mr. LYDECKER. I can't tell you.

Mr. REAVIS. You don't know what they intend to do, or if they intend to do anything?

Mr. LYDECKER. Not any more than I know what your committee intends to do.

Mr. REAVIS. Until you made the suggestion and printed it in the bulletin you sent broadcast through this Nation?

Mr. LYDECKER. Till I did.

Mr. REAVIS. Now, I want to get down to No. 6. You were interrogated about that, and I am frank to say that I don't understand exactly—even after listening to your testimony—what you mean nor what you intend to do "to protect our National Legislature"—that would be Congress, of course—"from dangerous proletarians." I wish you would give me just what that means. You will find that on page 2 of the bulletin, Colonel, in the first column, No. 6.

Mr. LYDECKER. Well, that is an adjunct to the phrase "Creating greater respect for representative government as distinguished from mass administration, and protecting our National Legislature from dangerous proletarians."

Mr. REAVIS. Kindly tell me what you mean by that.

Mr. LYDECKER. Why, I mean that any particular community or part of the great democracy of the United States which is so tinged with false ideas—either derived from the Lenine philosophy or the philosophy of those who believe that all property should be annihilated, that law should be the subject of abolition—that we should not have those representatives in our National Legislature who would continue the propagation of what I regard as in the nature of disease.

Mr. REAVIS. Now, just where do you look for just that sort of thing to spring up, so as to become a menace to the national legislature?

Mr. LYDECKER. Where do I look for it?

Mr. REAVIS. Yes.

Mr. LYDECKER. I don't know.

Mr. REAVIS. Is there any place in the United States, the condition of which creates apprehension in your mind that such a thing might occur?

Mr. LYDECKER. I think so.

Mr. REAVIS. Where?

Mr. LYDECKER. Well, you mean where Bolshevik ideas may prevail?

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Mr. REAVIS. Yes.

Mr. LYDECKER. Well, we have a very large population in the city of New York.

Mr. REAVIS. Now, would not that be a local matter for New York, rather than a national matter?

Mr. LYDECKER. Well, it may be—San Francisco has such a thing.

Mr. REAVIS. Do you know of anything of the kind in San Francisco?

Mr. LYDECKER. San Francisco had its sand-lot orators and its Coxey crowd. And there are from time to time groups that create—I can't say where germs may grow best.

Mr. REAVIS. Well, have you seen anything or any place where ideas of this kind gathered adherence in sufficient numbers to make it a matter of national concern?

Mr. LYDECKER. Well, if you read the newspapers, or have read the newspapers since the 11th day of November, you would certainly believe that there was a fear on the part of a great many people that the adherents of the red flag might lead to certain unfortunate consequences.

Mr. REAVIS. I am not trying to get the mental attitude of anyone, excepting yourself, Colonel.

Mr. LYDECKER. Well, I don't regard my mental attitude as very material at this present moment.

Mr. REAVIS. As the president of the league and a member of this committee I think it is quite material. For that reason I am asking you.

Mr. LYDECKER. It was material in my mind at the time I wrote out the suggestion for future activities of the league, that it was very wise, for whatever proper efforts should be made to preserve our national integrity, when a man gets up and says that the Supreme Court is an antiquated old lady, I think he should be rebuked. I think if we do not make an effort to respect our institutions, and if we do not make an effort to have you gentlemen who are elected to Congress—or the representatives of the people, whether they be Members of Congress or any other official—if you do not have the element of respect in the community for men who are chosen to fill honored positions, the Government is a failure.

Mr. REAVIS. There is no disagreement on that.

Mr. LYDECKER. It was a distinctly beneficent purpose. If you gentlemen object to it I am very sorry.

Mr. REAVIS. There is no disagreement on that, and it is not even remotely connected with the question I asked.

Mr. LYDECKER. I beg your pardon, then.

Mr. REAVIS. My question was: Did you, as the president of this league, fear that any given locality had a sufficient number of people in it who adhered to the bolshevik doctrines to consider it necessary for a national propaganda to be started against them?

Mr. LYDECKER. Well, I thought so.

Mr. REAVIS. You thought so?

Mr. LYDECKER. I thought so.

Mr. REAVIS. Now, where was that located?

Mr. LYDECKER. I didn't think of any particular locality. I knew that our congressional committee had found certain sore spots, though.

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Mr. REAVIS. Well, now, you saw evidence of it somewhere, or your apprehension would not have been excited.

Mr. LYDECKER. Well, I didn't locate any particular point.

Mr. REAVIS. Do you think it is general through the nation?

Mr. LYDECKER. I have told you different from that. I think the great majority of the communities are not——

Mr. REAVIS (interposing). Do you think it is general in the National Legislature?

Mr. LYDECKER. I think a great many people put their heads under a blanket and try to remain without seeing, and I think it is just as well to pull the blanket off.

Mr. REAVIS. The question is: Do you think it is general in the Congress?

Mr. LYDECKER. What?

Mr. REAVIS. These bolshevik ideas?

Mr. LYDECKER. I haven't talked about eradicating bolshevik ideas from the Congress; I have talked about eradicating dangerous proletarians.

Mr. REAVIS. Yes. Now, I ask you do you think the bolshevik ideas are general in Congress?

Mr. LYDECKER. I am not well enough acquainted with Congress to know.

Mr. REAVIS. Have you any doubt about that question?

Mr. LYDECKER. Why, I don't think that those ideas are predominant in Congress.

Mr. REAVIS. Are you particularly apprehensive of the bolshevik ideas in Congress?

Mr. LYDECKER. At this present Congress or the next one?

Mr. REAVIS. I beg your pardon.

Mr. LYDECKER. The Sixty-fifth or the Sixty-sixth Congress?

Mr. REAVIS. The Sixty-fifth Congress?

Mr. LYDECKER. No.

Mr. REAVIS. You are not?

Mr. LYDECKER. No, sir.

Mr. REAVIS. Are you a little apprehensive as to the next Congress?

Mr. LYDECKER. No; I don't feel afraid of Congress. I have never felt any fear of our Government or of our officials.

Mr. REAVIS. Then why start a Nation-wide propaganda through an official bulletin, appealing for funds to protect the national legislature from something that you say you are not afraid of?

Mr. LYDECKER. I didn't say I was not afraid of it.

Mr. REAVIS. I thought you said you were not fearful of the next Congress.

Mr. LYDECKER. I have said that I was not fearful of the next Congress.

Mr. REAVIS. Well, if you are not fearful of it, why are you starting a propaganda seeking to obtain funds from all over the Nation to prosecute a propaganda against something which you do not fear?

Mr. LYDECKER. I do fear the fact that representatives——

Mr. REAVIS (interposing). Do you fear or don't you fear?

Mr. LYDECKER. Fear what?

Mr. REAVIS. This Bolshevik idea in the next national legislature?

Mr. LYDECKER. I never said I did.

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Mr. REAVIS. Then why start this idea to collect funds on it—on nothing that you did not fear?

Mr. LYDECKER. I beg your pardon, we are starting funds for the rpose of inducing respect for a representative government, and ngerous proletarians are not respectors of representative govern-nt, and are in favor of mass administration, which I do fear if it permitted to grow. I feel that it is necessary that you and I and erybody else believing in and respecting the institutions of the untry should make our thoughts known.

Mr. REAVIS. And that was your idea in protecting the national gislature from what you are pleased to call "proletarians"?

Mr. LYDECKER. Yes.

Mr. REAVIS. Now, Colonel, I want to ask you a little bit more bout a matter that is more or less personal to you.

I noticed in all of these publications of your league that the title s always fixed to your name, and the impression seems to be more r less broadcast that you are a member of the Military Establish-ent. Your sole connection with the Military Establishment is the onnection with the National Guard of New York, is it not?

Mr. LYDECKER. Why, I think I am, under the laws of the State of New York, a retired officer of the grade of brevet lieutenant colonel.

Mr. REAVIS. And your title of "colonel" is the result of legislative nactment rather than the result of military service?

Mr. LYDECKER. No; it is the result of executive act, not legislative.

Mr. REAVIS. Well, of the governor of the State?

Mr. LYDECKER. Yes.

Mr. REAVIS. Rather than a member of an active military estab-ishment?

Mr. LYDECKER. Well, if you were a member of an active military stablishment, the commission would come, of course.

Mr. REAVIS. But yours did not come for that reason, did it?

Mr. LYDECKER. For what reason?

Mr. REAVIS. Because you were connected with the Military Estab-ishment?

Mr. LYDECKER. Yes.

Mr. REAVIS. When did you first join the National Guard?

Mr. LYDECKER. In 1874.

Mr. REAVIS. You were a member of the New York National Guard uring the Spanish-American War?

Mr. LYDECKER. I was.

Mr. REAVIS. Did you serve?

Mr. LYDECKER. Well, I did not serve in Cuba, nor in the camps. I as on duty during all the time. I came to Washington. I repre-ented my regiment in a visit to the Secretary of War and partici-ated in a plan for the attack on Habana with Gen. Miles and with ecretary Alger. I came to the city of Washington in regard to sup-lies. My activity was not on the field of battle.

Mr. REAVIS. Your activity during the Spanish-American War, as member of the New York National Guard, was confined to certain rips made to Washington and to certain advisory conferences you ad here?

Mr. LYDECKER. I did not say so.

Mr. REAVIS. Well, was it? I understood you to say so.

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Mr. LYDECKER. I was a continuing member of a regiment that held itself in readiness at any moment to come forward.

Mr. REAVIS. The Two hundred and first, the Two hundred and second, and the Two hundred and third Volunteer Regiments, of New York, were organized, were they not, and participated in the Spanish-American War—or do you know?

Mr. LYDECKER. I know very well. I supplied officers for the Two hundred and first, I think it was. I waived in favor of an old friend, my majoralty in that regiment, a man without position at the time, who had failed in business, and my colonel persuaded me—my application for service was on file with Mikeljohn, Assistant Secretary of War, and my readiness to serve has never been questioned.

Mr. REAVIS. Well, I see from the New York adjutant general's report, on page 15, for 1908, the following:

> The Two hundred and first, the Two hundred and second, and the Two hundred and third Volunteer Regiments for New York were organized by selecting competent officers throughout the State from those who desired commissions.

You did not go to that war, even though you were a member of the National Guard and an officer at that time, did you?

Mr. LYDECKER. I did not go to war.

Mr. REAVIS. What active service have you seen?

Mr. LYDECKER. What do you mean by "active service"?

Mr. REAVIS. Participating in any war or in any conflict in which your Nation was a party?

Mr. LYDECKER. I have never been in any conflict in which my Nation was a party.

Mr. REAVIS. And your title of colonel is by reason of an action of the governor of the State of New York?

Mr. LYDECKER. Exactly.

Mr. REAVIS. Now, I am going to call your attention again to the House chart.

Mr. LYDECKER. If you will allow me to say in connection with my service, that my service was entirely in the Seventh Regiment, New York National Guard, of the State of New York.

Mr. REAVIS. I am going to call your attention again to the chart in which this league presumed to pass on the loyalty of Members of Congress, and which you say was submitted to you and met with your approval. This chart contains the eight acid tests.

Mr. LYDECKER. You are referring to the congressional chart?

Mr. REAVIS. Yes, sir; to the congressional chart.

Mr. LYDECKER. Of the House of Representatives?

Mr. REAVIS. Yes, sir.

Mr. LYDECKER. Which I wish to say does not refer to the word "loyalty."

Mr. REAVIS. I beg pardon.

Mr. LYDECKER. Which I wish to say your statement is erroneous in saying that the chart refers to loyalty.

Mr. REAVIS. Well, I am not going to go over that with you again. That was gone over with you very fully. I am just going to assume that this passes on the loyalty, because anyone who could read the English language could come to no other conclusion.

I find here Mr. Johnson of South Dakota, according to your chart—you will find it on the last column—voted wrong every time

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he voted, according to your judgment—Representative Johnson of South Dakota.

Mr. LYDECKER. I see a statement that he voted three times [examining chart].

Mr. REAVIS. You are incorrect; he voted four times.

Mr. LYDECKER. Of South Dakota?

Mr. REAVIS. Yes, sir.

Mr. LYDECKER. I see a statement here crossed three times. I don't know how many times he voted.

Mr. REAVIS. Will you look at the right-hand column in the Sixty-fifth Congress? He voted once there and voted wrong?

Mr. LYDECKER. Oh, I beg pardon.

Mr. REAVIS. Now, that cross means wrong, does it not?

Mr. LYDECKER. Well, it says it indicates that he voted wrong or was paired accordingly.

Mr. REAVIS. And where there is no designation he did not vote at all, did he, accordingly to your chart?

Mr. LYDECKER. Well, so the paper says, where no designation appears.

Mr. REAVIS. But he voted wrong in 4 of the 8 tests did he not, according to your records?

Mr. LYDECKER. Yes.

Mr. REAVIS. Now, he would be about 50 per cent loyal, would he not?

Mr. LYDECKER. I have never figured any percentage of loyalty of anybody here.

Mr. REAVIS. He would be about 50 per cent right?

Mr. LYDECKER. From the standpoint of the vote on preparedness and war.

Mr. REAVIS. From the standpoint of the necessities of the country.

Mr. LYDECKER. No; it says here, "Vote on preparedness and war."

Mr. REAVIS. And it also says, "What are you going to do about?" You say that was directed to the voters?

Mr. LYDECKER. It was directed to everybody.

Mr. REAVIS. You said in answer to my question it was directed to the voters and to everybody who could influence voters.

Mr. LYDECKER. I did.

Mr. REAVIS. Do you know that Mr. Johnson left his seat in Congress, left his wife and three little children, one of them an infant in arms; enlisted as a private; fought through the Argonne Forest in France; came home the other day walking with the aid of crutches, wounded? Don't you suffer a little sacrifice of self-respect when you, commissioned as a colonel by a governor, sit in the security of your law office in New York and pass judgment on a man like Royal Johnson?

Mr. LYDECKER. I have no reproaches against myself whatsoever.

Mr. REAVIS. You were perfectly willing to approve a document that went to the district of this boy who was fighting in the trenches of France, who left his wife and his children, and left Congress to do it as a private, and you have no reproaches against yourself for approving a document that was sent to his district reflecting on his loyalty as an American citizen?

Mr. LYDECKER. You are making a conclusion that I do not admit at all. This is a copy of the Congressional Record.

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Mr. REAVIS. What was it sent out for—as a matter of amusement or for a purpose?

Mr. LYDECKER. For education.

Mr. REAVIS. I beg pardon.

Mr. LYDECKER. For education.

Mr. REAVIS. What do you mean when you say in there, "What are you going to do about it"?

Mr. LYDECKER. I told you that was a paragraph that I had nothing to do with particularly.

Mr. REAVIS. You approved it?

Mr. LYDECKER. I saw this and I have to take the consequences.

Mr. REAVIS. Well, now, I want you to take the consequences.

Mr. LYDECKER. Mr. Orth is the chairman of the committee and will be very happy to explain this to you gentlemen.

Mr. REAVIS. I don't want you to try to sidestep anything and put it off on anybody else.

Mr. LYDECKER. I have got it put off.

Mr. REAVIS. You, as the president of this league, approved this document?

Mr. LYDECKER. I approved it.

Mr. REAVIS. You sent it to the voters of his district, making inquiry of them, "What are you going to do about it?" with the purpose and design of prejudicing them against him at a time that he was in the trenches in France, fighting. Don't you suffer a little loss of self-respect?

Mr. LYDECKER. You are making an address and not asking a question.

Mr. REAVIS. The question was, if you did not suffer some loss of self-respect under such condition.

Mr. LYDECKER. I answer you I have no reproach whatever to make to myself for anything so far as Mr. Johnson is concerned. I believe Mr. Johnson's record stands for itself, and that his own people know the loyal, patriotic actions of Mr. Johnson; and whatever his record in this chart is, it is a record that you yourselves have published to the world in the Congressional Record.

Mr. REAVIS. They wouldn't know of his loyalty from anything that the National Security League sent out, would they?

Mr. LYDECKER. I don't know.

Mr. REAVIS. Why don't you know? You can read it.

Mr. LYDECKER. Read what?

Mr. REAVIS. You can read the chart you sent to his district.

Mr. LYDECKER. I don't know all that the National Security League may have sent out or said. I don't profess to know. The chairman of this committee will tell you.

Mr. REAVIS. You know they sent this out?

Mr. LYDECKER. I don't know it. I believe it.

Mr. REAVIS. You testified here in answer to a question from Mr. Caraway, not only did they send it out, but you gave him the statements that were in there which they sent out.

Mr. LYDECKER. As I was told by our committee.

Mr. REAVIS. You were testifying, then, from what somebody told you?

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Mr. LYDECKER. I told you, then, I didn't have anything to do with the sending of it out. I gave you the best knowledge I had. You want to know what my best information was and I gave it to you.

Mr. REAVIS. And it was sent out with your approval?

Mr. LYDECKER. Oh, yes.

Mr. REAVIS. And it was published with your approval?

Mr. LYDECKER. I presume so.

Mr. REAVIS. And it carried the inquiry to the voters, "What are you going to do about it?" with your approval,

Mr. LYDECKER. That appears on this chart.

Mr. REAVIS. Not for the purpose of being offensive, but to get in the record the type of man that you are, and your mental operations, I want to ask you, now that you know that you were making, with your approval, this assault upon a boy who went to France, leaving his wife and three little ones, leaving a seat in Congress, who fought through the Argonne Forest and came back wounded, don't you feel just a little bit contemptible for making that sort of an assault upon that kind of a man?

Mr. LYDECKER. I think your statement is full of incorrectness, and I answer you that I have no reproach whatever to make, so far as Mr. Johnson's record is concerned. It is perfectly safe in the community from which he came.

Mr. REAVIS. Under the same circumstances, you would do again what you have done?

Mr. LYDECKER. If I published a chart I would no more qualify Mr. Johnson's vote than I would yours.

Mr. REAVIS. Would you consider Mr. Johnson 50 per cent a pacifist?

Mr. LYDECKER. I have never said so.

Mr. REAVIS. Would you consider a man a pacifist who voted as Johnson did vote, as is indicated by your chart?

Mr. LYDECKER. I never said so.

Mr. REAVIS. You said you consider me a pacifist, whose record is better than Mr. Johnson's. Would you consider Mr. Johnson a pacifist?

Mr. LYDECKER. I don't know whether your record is better than Mr. Johnson's. I never said that. Maybe I doubt it.

Mr. REAVIS. Well, let me ask you this question: Mr. Johnson voted, as I recall it, on the McLemore resolution, against tabling it. He also voted against conscription. He also voted against war. Would you consider him a pacifist?

Mr. LYDECKER. I don't know enough about Mr. Johnson to say whether he is a pacifist or not.

Mr. REAVIS. You have passed judgment on other Members of Congress as to whether they were pacifists.

Mr. LYDECKER. Have I?

Mr. REAVIS. I want you to answer my question. Would those votes indicate to you that Mr. Johnson is a pacifist?

Mr. LYDECKER. I decline to say that I have passed on other Members of Congress as pacifists.

Mr. REAVIS. Did you not say that my vote would indicate that I was a pacifist?

Mr. LYDECKER. No; I think I said Mr. Frear's votes.

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Mr. REAVIS. No; you said mine.

Mr. LYDECKER. Mr. Frear's votes would indicate the essence of pacifism.

Mr. REAVIS. Let me ask you this question? I am very reluctant to bring myself into this, but I want to ask you the question inasmuch as you have seen fit to pass judgment on it. Supposing that after war was declared a Member of Congress should vote for every measure calculated to raise men or money to prosecute this war; suppose that he had but two children, both sons and both under age, who entered the war with his consent, fighting aviators, would you consider him a pacifist, even though he voted against war?

Mr. LYDECKER. You refer to that as your own experience?

Mr. REAVIS. I am just taking a hypothetical case.

Mr. LYDECKER. Now, you will have to answer the question whether I consider you a pacifist at what period of time?

Mr. REAVIS. I do not ask you whether you considered me a pacifist at all.

Mr. LYDECKER. Well, this hypothetical question——

Mr. REAVIS (interposing). I said, suppose a Member of Congress should have voted against war, but after his country had entered the war, he voted for every measure calculated to raise men and money to fight that war; who had but two children, both of them sons, and both of them under age; both of them entered the service as volunteers with the consent of their father, not in a bullet-proof job but as fighting aviators, would you consider that man a pacifist?

Mr. LYDECKER. Well, I might consider he had been a pacifist and was not a pacifist now.

Mr. REAVIS. Let me ask you this question: Do you determine a man's courage and loyalty by his eagerness to get into a fight or by the way he fights after he gets into it?

Mr. LYDECKER. Why, I am not called on to determine the loyalty——

Mr. REAVIS (interposing). You are by this question. I want your mental attitude. Do you determine, you yourself, a man's courage and his loyalty by his eagerness to get into a fight or by the way he fights after he gets in it?

Mr. LYDECKER. Well, he would never get into a fight with my consent, from a military point of view, if his entire attitude before the fight was one of distinct reluctance.

Mr. REAVIS. You wouldn't let him into the service?

Mr. LYDECKER. That was the experience during the present war.

Mr. REAVIS. You would have kept Johnson out of the service then, wouldn't you?

Mr. LYDECKER. I don't know. I don't know Mr. Johnson.

Mr. REAVIS. Well, supposing that his vote showed reluctance and he voted against war and voted against conscription, showing that reluctance, would you have let him enter the service at all?

Mr. LYDECKER. If I knew Mr. Johnson as a red-blooded individual who had reasons for taking a certain attitude which I saw was easily explained, I would not pass judgment on him or on 500 men in the same way. My experience is that you must take individual cases and be absolutely fair and just in regard to each one, but you can not put out a chart stating the facts in regard to 400 men and then sub-

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it to an examination of this kind and be pinned down to whether would regard Mr. Johnson as a good soldier or not.

Mr. REAVIS. Let me ask you another question. I did not ask you anything about whether Mr. Johnson was a good soldier or not. Everybody on earth knows that that knows anything about him, but I want to ask you this question: You say that the Cooper amendment, which you torture into an embargo amendment, was one of the most offensive of all the things in that chart to you.

Mr. LYDECK. Have you got any testimony referring to what you are referring to?

Mr. REAVIS. I beg pardon?

Mr. LYDECKER. Have I said it was most offensive?

Mr. REAVIS. I said one of the most offensive, because you have said repeatedly that you would be willing to place the test upon the Cooper amendment alone, and I inferred from that that you consider it one of the most offensive.

Mr. LYDECKER. Well, I know what the Cooper amendment refers to.

Mr. REAVIS. Yes. You consider that one of the most offensive, do you?

Mr. LYDECKER. I don't think I have used the word "offensive."

Mr. REAVIS. Well, here was the question that was asked you: In answer to a question that you were asked by Mr. Walsh you say:

A man who voted for the Cooper amendment alone I should consider was a pacifist.

Mr. LYDECKER. Yes; I should, on that day.

Mr. REAVIS. Well, do you know that the chairman of the Committee on Foreign Relations, whom you give a most excellent record in your chart—in the United States Senate—the Senator from my State, Senator Hitchcock, introduced and pressed for passage a bill, No. 380, of which the following is the title:

To prohibit individuals, partnerships, or corporations in the United States from selling arms, ammunition, or artillery and explosives of any kind for exportation during the existence of war except on proof that said arms, ammunition, artillery, and explosives are not to be used in said war against a country with which the United States is at peace.

Mr. LYDECKER. What date is that?

Mr. REAVIS. I can not give you the date, but it was introduced and pressed for passage in the Sixty-fourth Congress in the first session. The Sixty-fifth Congress declared war. This was long after the war in Europe was raging and before we entered it. Did you know that?

Mr. LYDECKER. I don't recall it.

Mr. REAVIS. Do you know what sort of a record your Senate chart gives to the Senator who introduced that absolute embargo and pressed it for passage?

Mr. LYDECKER. I do not, but I have told you these details have not been under my control, or even the discussion of them.

Mr. REAVIS. I think that is all I want to ask the witness.

Mr. SAUNDERS (in the chair). We will take a recess now for an hour.

Mr. REAVIS. I wish, Mr. Saunders, if it would not be too much of a hardship, we would take an hour and a half, because of this election contest that is coming up in the House.

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Mr. LYDECKER. May I have a copy of this printed testimony?
Mr. REAVIS. Hasn't it been furnished you?
Mr. LYDECKER. No. [Mr. Walsh handed a copy of the hearing the witness.]
Mr. SAUNDERS. The committee will stand adjourned until 1 o'clock this afternoon.
(Whereupon, at 12.30 o'clock p. m. the committee recessed.)

AFTER RECESS.

The committee resumed the hearing at 1.30 o'clock p. m. pursu to recess.

STATEMENT OF CHARLES E. LYDECKER—Resumed.

Mr. JOHNSON. Gentlemen, I will be engaged for a few minu sending telegrams about our hearing to-morrow, so you go ahead.
Mr. SAUNDERS. The committee will come to order. You may p ceed, Col. Lydecker.
Mr. LYDECKER. Before proceeding further will the committee p mit the correction that was made this morning, referring to p 163 of the stenographer's minutes, to also be made with reference the printed record by mention of the appropriate page, so that th will be no misunderstanding about what the reference was made
Mr. SAUNDERS. Certainly.
Mr. LYDECKER. On page 86 of the printed record of the heari wherein the stenographer's minutes are copied, quoting me as s ing "No matter what the Carnegie Corporation did, all the fu that came in in contribution to the general funds were used the general congressional campaign committee," is the exact rev of the statement made, which was to the effect that "No ma what the Carnegie Corporation did, none of the funds that cam in contribution to the general funds were used by the general c gressional campaign committee."
Mr. SAUNDERS. Mr. Reavis, do you wish to ask any questions?
Mr. REAVIS. Not at this time.
Mr. SAUNDERS. Col. Lydecker, you stated in the course of y examination that your league was not in politics. In view of matter that has been put into the record by Mr. Browne, a mem of this committee, in the progress of his examination, do you s stand by that statement?
Mr. LYDECKER. Yes.
Mr. SAUNDERS. Your league, I suppose, intended whatever ma it put out to be taken according to the ordinary intendment and c mon acceptation of the words used, did it not?
Mr. LYDECKER. Oh, I think so.
Mr. SAUNDERS. In view of the statement contained in one of y bulletins that "gratifying results are being obtained by the leag congressional committee," and that it was "prosecuting an aggres campaign," would not the ordinary public be justified in conclud that you were actively interesting yourselves in politics in the dif ent congressional districts?
Mr. LYDECKER. Why, I wish to answer you fairly, but the st ment by this committee, or the chairman of this committee, in

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statement that I made, that gratifying results were being obtained, I do not think necessarily referred to political results. They were, as I understood, the general notice being taken of the publications of the league. I do not know of any other gratifying results. I did not have that in mind.

Mr. SAUNDERS. You say that you did not have political results in mind, yet in that connection you state it was—

To insure the election to Congress this fall of men of demonstrated loyalty and ability.

Is not that political, partisan activity?

Mr. LYDECKER. Absolutely in no sense partisan. There was nothing partisan about it.

Mr. SAUNDERS. Political; I will put it that way?

Mr. LYDECKER. Political, perhaps, in the sense that anything that an American citizen discusses in national affairs is political. In that sense; yes.

Mr. SAUNDERS. I noticed in your examination this morning by Mr. Reavis that you somewhat demurred to the use of the word "loyalty" in connection with the acid-test chart which was circulated through the congressional districts of the country; and yet I notice you emphasize that word in the quotation I have just made from one of your bulletins, "men of demonstrated loyalty and ability." If you did not have in mind by that chart raising the questions of a man's loyalty by the votes that you gave as a part of his record, what did you mean?

(Mr. Johnson returned.)

Mr. LYDECKER. I demurred to Mr. Reavis's assertion or imputation that I had used the word "loyalty" in the chart. I know that what you say was printed, and that the chairman of the committee was responsible for that statement; I know that, but I can not answer what he meant. I have not used the word personally.

Mr. SAUNDERS. Well, as I have had occasion to say in the previous examination, which I conducted in using the word "you" I was having in mind not a personal reference to you, but a reference to the activities of your league. I comprehended that under the word "you" that your organization, the organization of which you are a part and for which you are responsible by reason of your presidency, had used those words for the purpose of developing what you call "the loyalty record of the personnel of the House of Representatives."

Mr. LYDECKER. We spoke from the beginning of May, down through the time of the election, about the election of a loyal Congress as a matter of war work, beginning long before any candidates for election were named or discussed and as a general war-work subject.

Mr. SAUNDERS. So that you did have in mind by the statement just made, having further in mind that you stated you expected the words you used to be understood in their ordinary intendment; I say, you did have in mind raising in the districts of Congressmen the question of their specific and individual loyalty?

Mr. LYDECKER. Never, except in connection with loyalty and ability and foresight and 100 per cent Americanism.

Mr. SAUNDERS. If a man had ability, coupled with lack of loyalty, he would be worse than a man who was absolutely ignorant. You

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would not seek to make a distinction between an ignorant loyal man and an intelligent loyal man except in the matter of intelligence?

Mr. LYDECKER. I think if a man entirely lacks in ability I can hardly have him in mind in any general discussion, but we do not go into any particular discussion about Members of Congress. We printed a general chart from the record.

Mr. SAUNDERS. You printed a general chart, but that was in particular connection yith your effort to elect "men of demonstrated loyalty." Now, Col. Lydecker, you further stated that it was your purpose in this campaign to inform the voters so that they might make an intelligent selection. Do you think it aided a voter in making an intelligent selection to pick out a few votes recorded prior to the war, omit practically everything that was done after the war broke out, and in prosecution of the war, and put these selected votes up to the voter in the way in which it was done in your acid-test chart? Was that an informing bulletin, do you think, to enable the voter to reach a dispassionate judgment upon the work and merits of his Representative in the Congress of the United States?

Mr. LYDECKER. I think it was a correct publication for the purpose of communicating that particular aspect which the chart sought to communicate—preparedness for war. But I do not think that those were all of the qualifications.

Mr. SAUNDERS. You spoke of Mr. Hearst as stirring up mass hatreds?

Mr. LYDECKER. Class hatreds.

Mr. SAUNDERS. I thought you used the words "mass hatreds."

Mr. LYDECKER. I never said that; I said "class."

Mr. SAUNDERS. Very well, class hatreds then; and doing mischief by the character of his publications, the way in which they were put out, and the use of extravagant headlines. Don't you think, in this chart that you put out, you borrowed a line from Mr. Hearst in that respect, and that your league was guilty of the same thing that you were criticising him about a few days since?

Mr. LYDECKER. Well, I should be sorry if there was any comparison between Mr. Hearst's activities over the country and the league's.

Mr. SAUNDERS. Well, I did not put it exactly that way. I asked you whether, in respect of the bulletins you issued and more especially the acid-test bulletin, if they were not made up in the very fashion that Hearst's newspapers were prepared and which you criticised so decidedly some days ago in the matter of the use of extravagant headlines.

Mr. LYDECKER. No; I think there is no comparison between any publication of the league and the publication of Mr. Hearst's newspapers.

Mr. SAUNDER. Well, you think he italicized your phrases?

Mr. LYDECKER. Well, that hardly puts it right.

Mr. SAUNDERS. I want to say that this committee is not concerned with the plans of your league at all. Your league has the right to develop a militaristic or any other cult that it chooses. We are just concerned with the methods of your work. Why is it that in putting out an informing bulletin you omitted everything since 1917, the work of the war Congress in relation to the prosecution of the war? Why was all that omitted in this chart that you wanted the voter to

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study, if you wanted him to form a fair conclusion as to the merits, worth, and standing of his Representative in the Congress?

Mr. LYDECKER. As I have stated, the work of this committee is work that I did not direct; I approved. This particular element of the work was not set forth as showing in its entirety the record of any Congressman, but to show his record on preparedness and in antiwar work. It was intended to show that, and attention was——

Mr. SAUNDERS (interposing). You were not concerned with informing the district as to the general attitude of its Member upon the great body of war legislation, but simply to inform the voter as to certain selected votes that you denominated as improper votes?

Mr. LYDECKER. Well, that was the clear intendment of the chart, not in respect of a district, but of the Nation.

Mr. SAUNDERS. Well, all the districts?

Mr. LYDECKER. All the districts.

Mr. SAUNDERS. Don't you thing that putting up a part of a man's record in that fashion and emphasizing what you chose to select as the important votes was ill-calculated to give the voter opportunity to make any fair appraisement of his Representative's general attitude in Congress?

Mr. LYDECKER. No; I think it gave a very means of appraisement upon those questions.

Mr. SAUNDERS. Why, of course; but how about the dozens and hundreds of other votes on questions that might be fairly considered just as important as those? If you are informing the public why not give the public full information?

Mr. LYDECKER. Well, if they had been conducting an active political campaign I think they would have gone into the districts and would have given their full records. But as there was no intention to do so I can not tell you about that.

Mr. SAUNDERS. You did go into the districts with these documents?

Mr. LYDECKER. I suppose it was sent to every newspaper, Republican and Democratic and others, and to others who wished it.

Mr. SAUNDERS. You said the other day if any man wanted a correction made of any injustice done him you would have given him as full publicity in correcting the injustice done as you did in publishing the original article?

Mr. LYDECKER. I understand that was done. I understand that every questionnaire that came in was sent out, or I presume it was. I am so informed, though I do not know it of my own knowledge.

Mr. SAUNDERS. I would like to find out about that. How could a man correct an injustice done him in your acid-test bulletin when that bulletin was never brought to his attention?

Mr. LYDECKER. I beg your pardon, but what was never brought to his attention?

Mr. SAUNDERS. Your bulletin was never sent to Members of Congress?

Mr. LYDECKER. Are you speaking of the bulletin or the chart?

Mr. SAUNDERS. Yes; the chart giving the eight acid-test votes.

Mr. LYDECKER. Our bulletins refer to a very distinctly different paper.

Mr. SAUNDERS. Well, the acid-test chart. How could a man get a correction of an injustice contained therein when you say you did not send it to the man himself?

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Mr. LYDECKER. I say that I was not aware it was sent to Members of Congress. It was sent to the newspapers, and the questionnaire was sent to Members of Congress.

Mr. SAUNDERS. But there was specific matter put into the Congressmen's districts that you advised this committee was never sent to the Members themselves, the men affected by it, and those were the men who made the record. How could they correct the injustice that had been done them?

Mr. LYDECKER. If it was never brought to their attention and they wished to correct it, I do not know how they would do it.

Mr. SAUNDERS. Well, a Member could not correct it in those circumstances. Have you in mind a single Member of Congress who wrote to you protesting against the injustice done him and calling your attention to other matters than that contained in your chart?

Mr. LYDECKER. I have no knowledge of any such letter.

Mr. SAUNDERS. You are not in a position to say that your files do not contain such letters, are you?

Mr. LYDECKER. Oh, no. I can not tell what Mr. Orth has in his files.

Mr. SAUNDERS. Having in mind that you would correct an injustice if a Member of Congress complained; for instance, if some one should complain of the imperfect character of this record you prepared, and wrote to you calling your attention to a number of other votes that he had given and that could be fairly deemed as important as those you had sent out, would you have published his letter and sent it into his district? Would you have printed his letter and distributed it as a bulletin?

Mr. LYDECKER. That I do not know.

Mr. SAUNDERS. That would be the only way, would it not, that you could give him the same publicity in the matter of the remedy that you had given theretofore to the attack?

Mr. LYDECKER. I do not know of any instance where any suppression of any information was ever made.

Mr. SAUNDERS. I am not charging suppression.

Mr. LYDECKER. You asked if I would; I answer that I do not know of any.

Mr. SAUNDERS. I am asking if you did that?

Mr. LYDECKER. I do not know.

Mr. SAUNDERS. You do not know whether any corrections were ever made with respect to any individual Congressman?

Mr. LYDECKER. No; I do not; nor of any complaint that was ever made.

Mr. SAUNDERS. Nor of any complaint?

Mr. LYDECKER. No; I do not know of any.

Mr. SAUNDERS. You do not undertake to say that there were no letters of protest received?

Mr. LYDECKER. Oh, I can not say that there was no letter of protest received.

Mr. SAUNDERS. Now, with respect to those dangers from proletarianism that you referred to in your examination of a few days since and of this morning, and having in mind that you have just stated that you intended words put out in your publications to be used according to their common intendment and acceptation, whence

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do you derive the meaning that you have to proletarianism in your last examination? You repudiate the meaning given to the word by the most modern dictionaries.

Mr. LYDECKER. That I must deny.

Mr. SAUNDERS. What is the meaning given to it by the dictionaries?

Mr. LYDECKER. To proletarian?

Mr. SAUNDERS. Yes.

Mr. LYDECKER. That member of society who is devoid of thrift, industry, or any accumulation by reason thereof.

Mr. SAUNDERS. What dictionary gives that definition?

Mr. LYDECKER. I think the Century Dictionary gives that definition.

Mr. SAUNDERS. I looked in one of the most recent dictionaries to be found on the floor of the House, in the floor library, and that dictionary defined the proletarian as being the poorer classes of the community. That is certainly the meaning given to it in ordinary parlance. It is a phrase used much more in Europe than here, and it certainly has that meaning when used with respect to the European peoples. You repudiate that meaning, do you?

Mr. LYDECKER. You asked me what I meant and I gave you the dictionary meaning.

Mr. SAUNDERS. I am asking what your league means in using that word if it does not mean it to be understood as it is commonly understood and as the dictionaries define it?

Mr. LYDECKER. I deny that it is commonly defined as meaning the poorer classes. Of course, the individual who comes under the class that I described is a part of the poorer classes; but as to saying it means the poorer classes is not true. The proletarian are a very inconsiderable part of any American constituency, but our imported people are, unfortunately, some of them of that class. And I refer to what you will find on the last page of the bulletin that you have so extensively quoted, No. 6, of December, 1918, published by the National Security League (Inc.), which tells very distinctly what the purpose of the league is in regard to the national or the possible national danger from those dangerous proletarians, or dangerous demagogues, or anti-American socialists or bolsheviki people, which are certainly a class that every Member of Congress should be alive to in our opinion.

Mr. SAUNDERS. Well, this is not very important, but I will put into the record at this point as soon as I get the book the meaning of the word "proletarian" according to our latest authorities.

Mr. LYDECKER. Will you allow me to write in the definition from the Century Dictionary?

Mr. SAUNDERS. Certainly, you have the right to do it.

Mr. LYDECKER. I think you will find it sustains my definition.

Mr. SAUNDERS. Certainly; write it in.

Mr. LYDECKER. I can not do it at this moment because the dictionary is not here.

Mr. SAUNDERS. Oh; I thought you had it here. And I have stated that I will put it in when I get the book I referred to.

Mr. LYDECKER. May I ask what dictionary you will quote from?

Mr. SAUNDERS. I think I will put in the definitions from several.

Mr. LYDECKER. Very well.

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Mr. SAUNDERS. Col. Lydecker, which do you regard as the distinctive and informing vote, a vote on a motion to recommit vote on the passage of a bill?

Mr. LYDECKER. Why, we all know that it depends upon the circumstances of the case, and that there is no possible way of deci whether the one or the other is the more important until we know surrounding circumstances. It depends altogether upon the war has been waged upon a measure, and the amount of discussion, what step a deliberative body has taken as a test of the question

Mr. SAUNDERS. If you can not answer it any more definitely that I will take one of the votes you put in your acid test chart. that is Mr. Browning's motion to recommit. Mr. Browning prop in his motion to recommit to add something to the measure in tion to that desired by the Navy Department. You put that in a of your acid test votes. Now, a man who voted against that mo to recommit did not leave the country defenseless at all. It sim expressed that in his judgment the additional matter proposed inserted was not necessary. But the man who voted against that on its passage, so far as he was concerned, left his country defe less. Now, my question is, which of those two votes was the more portant and informing vote?

Mr. LYDECKER. I am unable to say what conclusion the comm of Congress came to on the question that you have asked. I unable to say, because I am not acquainted with all the votes cerning the circumstances of the motion to recommit. I do no gard the passage of this, that, or the other motion as necessarily in the disposition of a matter. Furthermore, this was intende show the actual attitude of those who voted, and I presume th was thought that it did. I can not say which was the more in tant vote under the circumstances.

Mr. SAUNDERS. Let us see how the mental attitude is revealed the vote.

The gentleman from New Jersey made a motion to recommit, and he posed to include in the naval forces of this country some units which were included in the recommendation of the committee.

In other words, he proposed to add somewhat to the naval f of the country. When a man voted against that motion to recom what mental attitude was thereby revealed?

Mr. LYDECKER. Lack of judgment that the report of the authorities concerning the building of two dreadnaughts and cru was not a proper or necessary or wise preparedness measure.

Mr. SAUNDERS. In other words, the mental attitude that that revealed was that the men who cast it did not think that those tional units to the navy were necessary.

Mr. LYDECKER. Were justified at that time.

Mr. SAUNDERS. That is all that it showed, isn't it?

Mr. LYDECKER. I do not know.

Mr. SAUNDERS. Could it show anything else except that the did not think those additions were necessary?

Mr. LYDECKER. I do not know whether it did or not. I can answer you on that because I was not in the atmosphere of that

Mr. SAUNDERS. Well, then, I will ask you what mental attitude found when a man came to vote on the bill that provided for

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naval defenses of our country and voted against it? When mental attitude was shown by that vote?

Mr. LYDECKER. That he expected to stand up and be counted as not willing to sustain——

Mr. SAUNDERS (interposing). To furnish his country with no naval defenses?

Mr. LYDECKER. Oh, no.

Mr. SAUNDERS. He voted against the bill that proposed to provide them?

Mr. LYDECKER. Well, one bill at a time is voted on.

Mr. SAUNDERS. There is only one naval bill in any one session of Congress. Now, isn't it perfectly clear, Col. Lydecker—and I suppose you have no desire to be fencing about in this matter—that so far as you derive the mental attitude from a vote that the mental attitude of the man who voted against the naval appropriation bill was that it was his judgment the country did not need any naval defenses at all? If you do not derive that conclusion, what conclusion do you derive from it?

Mr. LYDECKER. I can not answer you what Mr. Browning's mental attitude was in proposing——

Mr. SAUNDERS (interposing). I am going by the record, as you do in all these other matters?

Mr. LYDECKER. Well, I am going by the record, or by what you tell me is the record of Mr. Browning's vote.

Mr. SAUNDERS. Go ahead.

Mr. LYDECKER. If no naval appropriation bill were passed at that time by reason of the negation of that bill; but Congress was not powerless to make another effort at a naval appropriation. If I am told that it ended all possibility of any action at that time, then I am being informed of something I did not know.

Mr. SAUNDERS. It does not end all possibility of action.

Mr. LYDECKER. It does not? I thought you said it was final and the only one voted on?

Mr. SAUNDERS. So far as Congress is concerned, or so long as Congress is in session theoretically and potentially, it may legislate——

Mr. LYDECKER (interposing). I thought so.

Mr. SAUNDERS (continuing). But as a matter of fact in any one session of Congress we have just one naval appropriation bill providing for the naval defense. And the question I asked is, If a man votes against that bill, what mental attitude does he thereby reveal? You have not been backward in deriving the mental attitude of people who voted wrong according to your views on your acid-test votes. Now, what about that vote—what is revealed?

Mr. LYDECKER. I take it the actual attitude was to defeat the adoption of that bill.

Mr. SAUNDERS. Very well. Here you are putting out a bulletin intended to advise the voter so that he may fairly appraise his candidate's record and his mental attitude, in order to determine the propriety of his reelection. As between the man who says by his vote that he does not want any naval defenses at all, and the man who says by his vote he is willing to stand by the recommendations of the Secretary of the Navy but is unwilling to go any further, which of these two men do you think shows the greater loyalty?

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Mr. LYDECKER. I understand that it would be impossible to sh that Mr. Browning did not desire a larger Navy?

Mr. SAUNDERS. I am not attacking Mr. Browning, but there the record?

Mr. LYDECKER. I am taking the record that he voted to recom the bill.

Mr. SAUNDERS. Which was to add something to that bill?

Mr. LYDECKER. Exactly.

Mr. SAUNDERS. And you think that the man who did not want t add something to the bill is disloyal?

Mr. LYDECKER. I did not say so.

Mr. SAUNDERS. Well, you all have carried that impression. Wha do you mean by using the language I have just quoted that you pu out in the chart giving a record of the votes of all Members in th House of Representatives on the eight principal preparedness and war measures except to show that the man who did not vote for those measures was disloyal? What else did you have in mind?

Mr. LYDECKER. Their inability to comprehend the necessity and wisdom for preparedness and preparation for the great struggle that the country ultimately embarked in.

Mr. SAUNDERS. Which had the greater vision, the man who wanted to add a few units that the Navy Department did not want, or the man who refused to vote for any naval bill at all?

Mr. LYDECKER. If Mr. Browning's mental attitude was that he did not wish to have any increase in the Navy, then his mental attitude should have been shown in some way I would think, and if we had published a chart it should have shown it.

Mr. SAUNDERS. Not any increase in the naval appropriation but no naval appropriation at all?

Mr. LYDECKER. I do not understand that Mr. Browning's vote would have resulted in no naval appropriation at all.

Mr. SAUNDERS. The fact is, so far as Mr. Browning's vote was concerned, that he was opposed to any navy at all. Did not his vote on that motion show that?

Mr. LYDECKER. No; I do not believe we could have ever demonstrated that that was Mr. Browning's attitude.

Mr. SAUNDERS. What was Mr. Browning's attitude if he voted against any naval bill at all?

Mr. LYDECKER. That he did not approve of that particular diminished enactment.

Mr. SAUNDERS. And rather than have a diminished enactment which the administration and the great majority of his colleague thought adequate, he preferred not to give the country any nava bill at all?

Mr. LYDECKER. I do not think that is a fair view of the attitud of Mr. Browning. If it had been that, and a sufficient number ha agreed with that view, we would have had a terrible time.

Mr. SAUNDERS. If a man can vote against a proposition and stil be for it, in your view, I will not pursue the inquiry further.

Mr. LYDECKER. I think that inquiry answers itself.

Mr. SAUNDERS. Well, now, Col. Lydecker, you have had a goo deal to say about this matter of vision, and the men who did no stand for the naval bill that your Security League stood for wa

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branded, so far as its judgment went, as disloyal. I would like to ask you this, and this, too, in connection with this matter of vision: There is a question up in Congress now as to whether we shall have the second navy in the world or, as some others put it, why not the first? What is the views that a man of vision must take of these two propositions? Should we have the second biggest navy in the world, or should we have the biggest navy in the world?

Mr. LYDECKER. To whose mental vision are you now referring?

Mr. SAUNDERS. It is up to the National Security League (Inc.). You are passing judgment on us.

Mr. LYDECKER. I can not answer as to that.

Mr. SAUNDERS. We would like to be informed by the Security League. You have set yourselves up as advisers of the public, and more particularly of Congress. This is a matter that is now ahead of us. It is very easy after a thing has passed for your league to come along, in the light of subsequent events, and criticize people for their votes, but here is one ahead of us, and we ask, Shall we have the second navy in the world or the biggest navy in the world? What does vision say on that proposition?

Mr. LYDECKER. I am not vision.

Mr. SAUNDERS. You have no vision on the subject?

Mr. LYDECKER. I am not vision.

Mr. SAUDNERS. Your league has no vision on the subject?

Mr. LYDECKER. The league has not pronounced any vision on the subject.

Mr. SAUNDERS. Suppose Members of Congress are confronted by a subject of that kind? In fact, here are Members of Congress confronted by the same proposition as the one when the Browning motion to recommit came up. There was a question of one naval force, and another naval force concerned in the Browning motion to recommit, which was larger. Members who did not vote for the bigger force have been assaulted as disloyal, their records being put up in that light before their constituents. Precisely the same question is coming up now: Shall we have the second Navy in the world or the biggest Navy in the world? Which shall a man of vision vote for?

Mr. LYDECKER. I differ with you that the condition is the same now as before, or that the same questions are now before us. I deny that being a fact.

Mr. SAUNDERS. Yes; the people who are now standing for the biggest Navy in the world offer precisely the same arguments that were offered at the time of the Browning motion to recommit.

Mr. LYDECKER. I do not know that. I do not see how they can.

Mr. SAUNDERS. That the security of our country makes it necessary for us to have the biggest Navy in the world. That is all that you all have ever said in connection with it; that it was a question of security, and the man who had vision could look ahead and see that the Navy provided for in the Browning amendment was proper and necessary for the adequate security of our country. Now, the people who are standing for the biggest Navy in the world say our security requires it, that our place in the sun requires it?

Mr. LYDECKER. I am not responsible in any way for those arguments.

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Mr. SAUNDERS. You do not undertake on the part of your lea to offer us any suggestions or advice as to whether we shall vote the second biggest Navy in the world or the biggest?

Mr. LYDECKER. I was not asked here for that purpose.

Mr. SAUNDERS. Well, let us ask you that now that you are h You have advised Congress quite freely in the past, and criticize where it did not agree with you. Can not you now aid us in resp to this feature of legislation, as to our future action?

Mr. LYDECKER. Well, I beg you to recognize that one individual a committee of fifty is not competent to speak the opinions of committee.

Mr. SAUNDERS. Who selected those acid-test votes? You have s ported all of them, haven't you?

Mr. LYDECKER. The committee on congressional activities selec them.

Mr. SAUNDERS. You did not reverse your judgment as to the p priety of them until they were selected; you have your independ judgment?

Mr. LYDECKER. No; I do not interfere with committees that authorized by the league.

Mr. SAUNDERS. You do not need that committee to tell you t that the man who voted against the Browning motion to recom was casting a disloyal vote, did you?

Mr. LYDECKER. I never said anything about it.

Mr. SAUNDERS. You had your judgment on it?

Mr. LYDECKER. I did not form a judgment on it.

Mr. SAUNDERS. Why, I asked you the other day with respect that particular proposition?

Mr. LYDECKER. Whether I had formed a judgment on it?

Mr. SAUNDERS. Why, certainly.

Mr. LYDECKER. Well, I can not recollect any such thing.

Mr. SAUNDERS. Very well, I will ask you now with respect to Browning vote: Was it a wise or an unwise vote—I mean a v against it?

Mr. LYDECKER. I have no opinion on the subject.

Mr. SAUNDERS. You have no opinion on the subject at all?

Mr. LYDECKER. No; I told you I was not aware of the circu stances under which the amendment was presented, nor as to final vote on the passage of the appropriation bill.

Mr. SAUNDERS. Do you understand, then, that as president of t league you are sending into the districts of Members of Congress t terial with respect to which you have no judgment on its merits, a no knowledge?

Mr. LYDECKER. I told you distinctly that I had nothing to do w sending out this material.

Mr. SAUNDERS. Oh, with sending it out?

Mr. LYDECKER. That is what you asked.

Mr. SAUNDERS. Weren't you aware that it was going out?

Mr. LYDECKER. I was told that it was.

Mr. SAUNDERS. Can you relieve yourself of responsibility by ting subordinates of your league send out material with respect which you have no judgment?

Mr. LYDECKER. No; the executive committee has authorized t it be done.

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Mr. SAUNDERS. Do you approve of it?

Mr. LYDECKER. Did I approve of it?

Mr. SAUNDERS. Yes.

Mr. LYDECKER. I did.

Mr. SAUNDERS. Then that matter was sent out with your approval?

Mr. LYDECKER. I approved of it as being the judgment of the committee that had been created.

Mr. SAUNDERS. What was your personal judgment?

Mr. LYDECKER. My personal judgment was that the committee was doing its work well.

Mr. SAUNDERS. And that the material was proper to be sent out?

Mr. LYDECKER. I was told that it was, and I assumed that it was.

Mr. SAUNDERS. Do you care to put yourself in that attitude, Col. Lydecker, that you are allowing matter to be sent out that you are told is all right but with respect to which you have no knowledge or judgment?

Mr. LYDECKER. I know perfectly well in regard to those four votes you are speaking of that had been subject to action by the executive committee of the National Security League (Inc.), in a pamphlet published in July, 1916, in which the statements were made, and no criticisms were offered by Members of Congress at that time about it. They were the four preparedness measures, which were intended to show the attitude of Senators and Representatives on the proposition of preparedness for national defenses.

Mr. SAUNDERS. And you thought it fairly showed it, didn't you?

Mr. LYDECKER. I thought the committee acted properly in presenting what was then decided.

Mr. SAUNDERS. One of your acid-test votes is the Kahn amendment?

Mr. LYDECKER. Which one?

Mr. SAUNDERS. There isn't but one.

Mr. LYDECKER. There are two Kahn amendments.

Mr. SAUNDERS. In your acid test?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. Where are the two?

Mr. LYDECKER. Well, the Kahn amendment to the conscription act of April 28, 1917; and the other Kahn amendment was the one in regard to increasing the Regular Army to 178,000 men, in March, 1916.

Mr. SAUNDERS. Yes; you are right in that.

Mr. LYDECKER. Now, which one of the Kahn amendments do you refer to?

Mr. SAUNDERS. I will take up No. 2—the Kahn amendment that sought to increase the Regular Army to 178,000 men. That was an increase in the military forces of the country. The man who voted against that voted wrong, and the man who voted for it voted, of course, according to your view, a loyal and proper vote?

Mr. LYDECKER. Well, I have not said so. But they voted a vote indicating their attitude regarding preparedness.

Mr. SAUNDERS. I would like to find out what is your attitude, Col. Lydecker, about these things.

Mr. LYDECKER. I am trying to give it to you.

Mr. SAUNDERS. But I would like to have one attitude, because I do not cetainly want to be in the position of misrepresenting your

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attitude in any way. I again call your attention to the fact that you put out a bulletin in which this language was used: "Gratifying results are being obtained by the league's congressional committee, which is prosecuting an aggressive nonpartisan campaign in all part of the country to insure the election to Congress this fall of men of demonstrated loyalty and ability. This committee has prepared a chart giving a record of the votes of all Members of the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eight principal preparedness war measures." Now, I ask you again, taking that in connection with your acid-test chart, if you did not mean by your acid-test chart that the men who voted contrary to what you said was right and proper were accused of disloyal votes?

Mr. LYDECKER. I never said so.

Mr. SAUNDERS. Did the league say so?

Mr. LYDECKER. I don't think they ever did. I think they may have said that they were endeavoring to inaugurate a campaign for a loyal Congress; but I don't think they said that any man who voted against the Kahn amendment was a disloyal man. I think that it was printed that that was the attitude regarding a conception of the necessity for preparedness which time has shown was a necessary thing for this country.

Mr. SAUNDERS. Now, No. 3 is the Brandegee amendment to the Hay-Chamberlain Army bill. This amendment provided for an Army of 250,000 against 140,000. The men who voted there for this increase, according to your view, voted right. Those who voted against it voted wrong.

No. 5 was the Browning motion to recommit which provided for an enlarged Navy.

Now, in every one of those three votes the men who voted for the larger military proposition were the men who voted right; and the men, according to your conception, who voted against it were voting wrong; and certainly by the literature—I leave you individually out—certainly by the literature that you were circulating in the districts of these members they were represented as casting disloyal votes.

Now, having in mind, as I have said, that all of these propositions for an enlarged Military Establishment presented the question of right and wrong in your view, and that those who were voting for the enlarged Military Establishment were good ones—were voting right—can you now tell me why, as between the second greatest Navy in the world and the greatest Navy in the world, why a vote for the largest Navy in the world, by an analogy of these other votes would not be the loyal and proper vote to cast; or do you care to hazard a judgment on that?

Mr. LYDECKER. I do not thing the situation it at all the same as it was when the great world war was imminent; and that is very important if the interruption of Mr. Caraway is to be observed.

Mr. CARAWAY. I did not interrupt him. I was just speaking to him.

Mr. SAUNDERS. Very well. Anything further?

Mr. LYDECKER. Do you want me to finish what I started to say?

Mr. SAUNDERS. Yes; if you were not finished, and wish to finish.

Mr. LYDECKER. No; I am anxious to give you any information I can.

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Mr. SAUNDERS. Then, is it a further opinion when you say the situation is different, that your league does not favor the biggest Navy in the world at this time?

Mr. LYDECKER. I think at the present minute that you and I and everybody are looking toward the conclusion of a peace concluding the greatest conflict that we have ever had any information about, and for you to go ahead regardless of how matters are adjusting themselves on any theory of fighting forces beyond what we have got at the present time, with the extraordinary expenditure and extraordinary burden that has been laid upon the people, would be exceedingly injudicious. That is my personal opinion.

Mr. SAUNDERS. The effect of that is that a man can vote against this particular proposition without, in your judgment, voting wrong?

Mr. LYDECKER. Well, if your House forces a vote on a question when there is no necessity for it. When those votes were taken that you were criticizing, they had the clearest cut relation to this war which was coming on. We do not see everything, but we see some things——

Mr. SAUNDERS (interposing). Well, now, of course, it may have been the unfortunate mental state of the Members of Congress and of Cabinet officers and others who did not see this thing so clearly then, but I have observed after situations have been developed you always have a power to see much more clearly than where you have to blaze your way as Congress has to do with respect to these matters. Why can't you exercise that vision that your league is exercising and give us a program right now with respect to the Army and the Navy that will enable us to vote right once?

Mr. LYDECKER. Well, of course, the sarcasm in your questions is such that there is no use of my trying to parry them. The work that has been done conscientiously by the Security League I hardly think justifies this sarcastic mode of questioning, and if you want the opinion of an individual man, I think it is easy enough to get it; but if there is going to be objections——

Mr. SAUNDERS (interposing). Don't you concede when Congress—that we were doing our work conscientiously; that a man like Mr. Johnson, of South Dakota, whose record was referred to this morning by Mr. Reavis, could be voting against war without being disloyal and liable to be attacked?

Mr. LYDECKER. Mr. Johnson had not been attacked as disloyal.

Mr. SAUNDERS. Well, if he has voted wrong on preparedness——

Mr. LYDECKER (interposing). Voted wrong on preparedness according to the Congressional Record.

Mr. SAUNDERS. Can't you give to his attitude, and the attitude of many like him, the saving grace of conscientiousness of conviction?

Mr. LYDECKER. Well, now, you know the biography of Members of Congress have not been written by this league.

Mr. SAUNDERS. They have written it so far as they can in this acid chart that this committee sent out when the question of election was up last fall.

Mr. LYDECKER. That was the record that Congress itself made, which was public property.

Mr. SAUNDERS. Did you put out to the voters the records that Congress had made?

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Mr. LYDECKER. On these preparedness measures?

Mr. SAUNDERS. You did on this preparedness measure. Is not a half truth sometimes a very dangerous thing?

Mr. LYDECKER. Tennyson said so.

Mr. SAUNDERS. Do you think that with respect to any Member of Congress that you could put into his district a part of his record thereby, and emphasizing with all the tricks of printing and omitting the hundreds of other votes that he cast, and be regarded as treating that situation or that man fairly?

Mr. LYDECKER. I don't think you will ever be able to persuade any fair-minded community that the act of the Security League was not a fair presentation of the matters concerning these preparedness and antiwar——

Mr. SAUNDERS (interposing). Well, now let's see about that. In connection with the prosecution of the war I think there was something like 100 or 115 measures that were regarded as necessary for the vigorous and adequate prosecution of the war.

Now, take again the case of Mr. Johnson. Suppose you had published his record, as you have published it in your acid-test chart, then published his vote on the other 100 measures necessary for the prosecution of the war, all of which were affirmative votes, and then published the other facts, that at the time the election was in progress he was in the trenches in France, don't you think that that would have given his people, so far as your league was concerned, a fairer presentation of the case?

Mr. LYDECKER. No fairer; it would have been a fuller presentation.

Mr. SAUNDERS. Would not the fuller presentation have been the fairer one?

Mr. LYDECKER. It would have been if we had been conducting a campaign for Mr. Johnson or against him.

Mr. SAUNDERS. Why were you putting into Mr. Johnson's district that matter at all except to prejudice Mr. Johnson?

Mr. LYDECKER. I don't know whether it went into his district or not.

Mr. SAUNDERS. You stated it went into the districts of all of these men.

Mr. LYDECKER. There was no partizanship about it. It was sent in all direction, to all papers, for the information of everybody.

Mr. SAUNDERS. Why did you send that matter at all into Mr. Johnson's district when an election was pending except for the purpose of prejudicing his case? Because he had cast votes that in your judgment were wrong and according to your literature described as disloyal?

Mr. LYDECKER. The chart contains the records of every man. It was not sent to prejudice or praise.

Mr. JOHNSON. Whose record? Don't you want to correct that?

Mr. LYDECKER. Chart, I said.

Mr. JOHNSON. Don't you want to correct that? It is not the record of any man.

Mr. LYDECKER. It takes in the eight preparedness measures.

Mr. SAUNDERS. It presents the votes of the members on certain selected measures?

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LYDECKER. Yes.
SAUNDERS. Well, now, were his votes on those measures enough mine whether he should or should not be elected?
LYDECKER. It would not for me if I had been a member of rict and going to vote on it.
SAUNDERS. It would not?
LYDECKER. I don't know whether he was a candidate for re- or not.
SAUNDERS. You would have wanted more information?
LYDECKER. I think so.
SAUNDERS. Then, why was your league sending information ll the districts that you admit was so inadequate that it was curate, you admit you yourself would have wanted some- ore definite to vote on?
LYDECKER. It was sent for information on the subject of the of a war Congress and the general patriotic purposes of ntry.
SAUNDERS. And your idea was to get elected for the war Con- en who, according to the judgment of your league, according judgment and the judgment of your league, were wholly c and of demonstrated loyalty?
LYDECKER. Men who would win the war.
SAUNDERS. No; you do not say "win the war in this section." nted men of demonstrated loyalty.
LYDECKER. And ability.
SAUNDERS. And ability. Well, I think you stated this morn- Mr. Reavis that the question of whether an individual man al or not could not be determined by some one act, but would be determined by all of his acts.
LYDECKER. And the circumstances surrounding them.
SAUNDERS. All of the circumstances. Very well, then, how at district with respect to its representatives determine from arts that you sent out anything except what was adverse to who votes against him?
LYDECKER. Who said they could?
SAUNDERS. I asked you about it.
LYDECKER. I thought I said adverse.
SAUNDERS. How could he derive anything except what was to the man from the charts you sent out?
LYDECKER. I don't know. It would be considered by some in stricts where they were sent out that the wrong votes suc- n getting the man elected, or sending the man to Congress. to say——
SAUNDERS (interposing). I understand.
LYDECKER (continuing). It was not a question——
SAUNDERS (interposing). That would not be taken——
LYDECKER (interposing and continuing). Of standards like he ng on a question of preparedness from the standards of his ents. It was an absolutely correct vote.
SAUNDERS. But that was not in conformity with your inten- l desire, was it?
LYDECKER. You have been told what our desire was. It was rticular district or one particular man. We knew nobody; r the country.

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Mr. SAUNDERS. But now you say that in spite of the patriot efforts of your league that some districts sent back to Congress m that ought to have been defeated.

Mr. LYDECKER. I did not say that.

Mr. SAUNDERS. You did not? Just read that.

The reporter read as follows:

I do not know. It would be considered by some, in some districts, whe they were sent out, that the wrong vote succeeded in getting the man elect or sending the man to Congress. I mean to say——

Mr. SAUNDERS. What does that mean? It don't mean it sent a m to Congress——

Mr. LYDECKER (interposing). That a community that was d cidedly opposed to having——

Mr. SAUNDERS (interposing). In other words, it sent to Congre the man you did not want here——

Mr. WALSH (interposing). Well, let him finish his answer.

Mr. SAUNDERS. I thought you were through.

Mr. LYDECKER. I must answer your question without interruptio If in a district that was heartily against conscription a man shou vote for conscription which was not favored by his people, in th respect the chart hurt him—did not do him any good. Whether t man that was elected in his place—I don't know who he was whether he was a better man, more loyal, or patriotic, or America I don't know; but you asked me the question: "Did not this go for the purpose of injuring a man?" Well, it went in to enlight everybody. And if, in any instance, it helped a man, well and goo if it hurt a man that was up to the voters who had the prerogati of deciding any congressional district's vote.

Mr. SAUNDERS. That is your explanatory answer to the questi then?

Mr. LYDECKER. That is the attitude taken, so far as my presiden was concerned. I took no part in any individual section, except were extending a general propaganda by disseminating informati about the votes for preparedness and war measures.

Mr. SAUNDERS. Did you say that some member there who h voted for conscription was defeated as a result of it?

Mr. LYDECKER. Yes! I can recall of one instance of that case.

Mr. SAUNDERS. One instance?

Mr. LYDECKER. I don't know whether it is true or not.

Mr. SAUNDERS. Well, now, have you any other instances of peo who voted as you call wrong?

Mr. LYDECKER. No; that was a very extraordinary instance.

Mr. SAUNDERS. That instance was?

Mr. LYDECKER. It was called to my attention. I have never look to see whether men who were indicated here as, in our opinion, voti wrong have been rejected or not.

Mr. SAUNDERS. I think you have stated somewhere in your tes mony, Colonel, that as a result of matter that your league put c that some undesirables were defeated at the election.

Mr. LYDECKER. No; I don't know that I said that. I think I sa that as a result of our urging the question of fusion in certain d tricts we have succeeded in changing four so-called socialistic d tricts somewhere in the vicinity of New York. I think we had

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ir votes shown that we regarded them as either pacifistic or pro-man. I think that is what I told you.

Mr. SAUNDERS. I don't recall it exactly that way. I won't raise question about that. Is that, then, the extent of the mischief t your propaganda has done? You defeated four undesirables hat is, four of socialistic tendencies?

Mr. LYDECKER. I am very sorry you called that "mischief." If wish me to assent to your question, I decline.

Mr. SAUNDERS. Is that all you accomplished—I will put it that y—the defeating of four undesirables of socialistic tendencies? ve you in mind any other Members of Congress that you defeated?

Mr. LYDECKER. Through any of the activities of the league?

Mr. SAUNDERS. Through the activities of the league, or contributed their defeat?

Mr. LYDECKER. I do not know of any.

Mr. SAUNDERS. You do not know of any?

Mr. LYDECKER. And I have been told of these fusion successes as ng something that followed what we were advocating generally. did not have anything to do with the fusion. We urged it as a icy that was adopted.

Mr. SAUNDERS. You are not in a position, then, to say whether you e aided——

Mr. LYDECKER (interposing). We did not aid it.

Mr. SAUNDERS (continuing). Greatly in electing a loyal Congress?

Mr. LYDECKER. I can not say to what extent. I sincerely hope that gospel that has been preached has done some good.

Mr. SAUNDERS. But if there are in the present Congress some Mem-s who were on your acid-test chart as having voted these unde-ible votes, they are not here as a result of your wishes or intent connection with the publication of this matter?

Mr. LYDECKER. I presume that they are here because their con-uents thought they were better than the opponents they put up inst them.

Mr. SAUNDERS. You stated that one of the purposes of your league hile it was not taking part in politics—was to aid the President all of his plans. What are all of the plans of the President that had in mind?

Mr. LYDECKER. I don't think I ever made such a statement.

Mr. SAUNDERS. Well, I will turn to that later and show you said t, because I have got a memorandum of it.

Mr. LYDECKER. I shall be very happy to see any statement that I de to that effect.

Mr. SAUNDERS. Another phrase that you used in your former ex-ination, that you wanted to lend the activities and aid of your gue toward securing a just and careful peace.

Mr. LYDECKER. May I have that question, please?

The reporter read as follows:

nother phrase that you used in your former examination, that you wanted end the activities and aid of your league toward securing a just and careful ce.

Mr. SAUNDERS. Do you deny saying that?

Mr. LYDECKER. I do not recall expressing it that way. I said that of the aims and purposes for the immediate activities of the

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league on the conclusion of the war were as stated in the paper that you read from urging a just and careful peace treaty.

Mr. SAUNDERS. Well, I am correct in stating that proposition.

Mr. LYDECKER. If that is what you mean, I answer you affirmatively.

Mr. SAUNDERS. That you are in the field now to secure a just and careful peace treaty.

Mr. LYDECKER. Well, I don't know.

Mr. SAUNDERS. What do you mean by that, Colonel?

Mr. LYDECKER. I don't know whether we are in the field or not.

Mr. SAUNDERS. Well, you are doing the best you can, I suppose, along that line?

Mr. LYDECKER. No.

Mr. SAUNDERS. You are not?

Mr. LYDECKER. There has nothing been done along those lines, because there has never been any matter printed to that end. It was tentatively suggested as a possible activity.

Mr. SAUNDERS. Now, were you following your patriotic duty—I don't know anything more important just now than the securing of a just and careful treaty of peace, and this bulletin is issued——

Mr. LYDECKER (interposing). Last month.

Mr. SAUNDERS (continuing). In December, 1918, and the deliberations with respect are on right now—we are right on a threshold of them.

Mr. LYDECKER. This Security League is actually concerned in an educational propaganda and is not capable of taking all the work away from the officials of the United States——

Mr. SAUNDERS (interposing). Well, I admit——

Mr. LYDECKER (interposing and continuing). And Europe, too——

Mr. SAUNDERS (interposing and continuing). You can not do that——

Mr. LYDECKER (interposing and continuing). I can not be put in that position.

Mr. SAUNDERS. But, however, one of your future activities is urging a just and careful peace treaty?

Mr. LYDECKER. Do not say "future," say "suggested future."

Mr. SAUNDERS. Say what?

Mr. LYDECKER. Say, "one of your suggested—suggested activities." It was suggested and approved.

Mr. SAUNDERS. That distinction helps you out that way—urging a just and careful peace treaty. Now, that is, therefore, one of your suggestions.

Mr. LYDECKER. Yes.

Mr. SAUNDERS. And yet you are not in a position to advise us what you have in mind in that connection?

Mr. LYDECKER. I don't think you have very much to do with it in your division of the House——

Mr. SAUNDERS (interposing). Well, what have you got to do with it?

Mr. LYDECKER. Except to exercise the right of an independent citizen.

Mr. SAUNDERS. Well, admit all that. What have you got to do with it?

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LYDECKER. I have the same right.
SAUNDERS. You have the same right. What are you going to
it it?
LYDECKER. I am not a prophet.
SAUNDERS. No; I can very well agree to that. But here is
ague bulletin calling attention to your antecedent work. Here
ir new committee in it, and here are your suggested activities,
e of them is that your league is going to urge a just and
peace treaty. Have you formulated anything along that

LYDECKER. No.
SAUNDERS. For the period, then, that is just a blank?
LYDECKER. That is a possibility.
SAUNDERS. Well, don't you think you will have to get busy
of any service along the lines of helping to secure a just, a
peace treaty the way things are proceeding?
LYDECKER. We would like to have your particular activities
present time continued to a finish and get through.
SAUNDERS. We will try to prosecute our activities if you will

LYDECKER. Well, you are being urged very strongly by cer-
cuments to press your activities. I am trying to help you.
SAUNDERS. Press our activities in what direction?
LYDECKER. Probing the National Security League.
SAUNDERS. We will do that, all right. We are doing the best
to get the information from them we want, and I believe that
re stated that—I will put it this way: You did not think with
ce to securing the election of a patriotic, loyal Congress that it
essary to inform the voters of the districts of the activities
r Members with respect to the proper and vigorous prosecu-
the war, that that would help them to secure a properly
ic Congress?
LYDECKER. I never passed an opinion on that.
SAUNDERS. Well, I will ask you to pass an opinion on that.
eague—I will put the question this way: The main purpose
our league had in view, I imagine, in connection with the
i now just over was to secure the election of a loyal, patriotic
ss, was it not? Was not that your main——
LYDECKER (interposing). Of loyalty and ability.
SAUNDERS (continuing). Was not that your main desideratum
ection with the election of that Congress?
LYDECKER. Loyalty and ability.
SAUNDERS. And ability; but you would rather have a loyal
lesser ability than a disloyal man of greater ability. You
lay a great deal of emphasis on that word "ability." I don't
at justification that is. You would not qualify—in other
you would not qualify your attitude toward a man's loyalty
fact he was a very able man, would you?
LYDECKER. You have asked me——
SAUNDERS (interposing). Well, I asked you for a distinction.
LYDECKER. Well, let me answer.
SAUNDERS. Well, I am waiting on you.

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Mr. LYDECKER. You have asked me whether I regarded the grees of patriotism and loyalty, and I have said yes; and now ask me a question whether we would have a man——

Mr. SAUNDERS. I asked you that you would not qualify; my in rogation was a very distinctive one. I asked you "Would you l qualified the test of a man's loyalty by the extent of his abil would you?

Mr. LYDECKER. Why, a man's loyalty will stand to a great exte that is, loyalty used in our general expression concerning 100 cent Americanism by his ability and his forethough, and his c prehension of the functions of a nation, and the necessity for ha the President of the United States when he utters a pronouncei concerning morality or international law, that is self-evident—

Mr. SAUNDERS (interposing). Oh, we all agree to those sor things. It don't answer my question at all.

Mr. LYDECKER. I am glad you do.

Mr. SAUNDERS. Would not, in respect to these men, who cast t acid-test votes have greater or lesser reprehension than the ma greater ability or the man of lesser ability?

Mr. LYDECKER. The question does not mean anything, pardon

Mr. SAUNDERS. It don't?

Mr. LYDECKER. No; because ability refers to so many things. might have ability to run a motor car, or to make a watch, o might have ability as a statesman. You see, if you use word these very general sense and then try to pin them down to one ticular, you are only bending words, and I am getting nowhere self.

Mr. JOHNSON. I see I am not getting anywhere.

Mr. LYDECKER. I can not answer you questions that are not n intelligent questions.

Mr. SAUNDERS. Very possibly I seem not to be able to get very with them in respect to getting intelligent answers.

Now, have you not got a very distinct comprehension in your i of what is an able man in Congress?

Mr. LYDECKER. No.

Mr. SAUNDERS. We will leave out the automobile business nov

Mr. LYDECKER. No; I have not a very distinct idea.

Mr. SAUNDERS. You do not know what an able man in Congres

Mr. LYDECKER. I have a very distinct idea of what an able in Congress is.

Mr. SAUNDERS. Have you any idea as to able men in the pr Congress?

Mr. LYDECKER. I am not going to be personal at all in regai any question.

Mr. SAUNDERS. I am not asking you for any individual. I an bringing it down to that.

Mr. LYDECKER. Oh, yes.

Mr. SAUNDERS. I am asking you: "Have not you in mind m the present Congress whom you can call able men?"

Mr. LYDECKER. I have known very able men——

Mr. SAUNDERS (interposing). I am not asking about your ha known able men. I ask you if you have not in mind in the pr Senate and House of Representatives men that you regard as men?

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Mr. LYDECKER. You asked me if I had in mind, and I said I had.

Mr. SAUNDERS. What is your answer to the question?

Mr. LYDECKER. I said I had in mind, and you say I did not have in mind, and you say you did not ask me that question, and I said I had in mind. I think I have.

Mr. SAUNDERS. Will the reporter please read the answer?

The reporter read as follows:

I have known very able men.

Mr. SAUNDERS. I am asking you about the present Congress, and you say "you have known men." I say that is not a distinct and definite answer to my question.

Mr. LYDECKER. I did not understand your question, then.

Mr. SAUNDERS. I will ask it again. Have you in the present House or present Senate in mind any members of either body that you regard as able men in public life?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. You have?

Mr. LYDECKER. Yes.

Mr. SAUNDERS. Well, now, with respect to those men, if they cast these disloyal votes, or unwise votes, would not you hold them to a greater responsibility than the men that might not be so able? In other words, would not the moral quality of their act be much more reprehensible than that of a man who did not have as much vision? That is all I have ever asked you.

Mr. LYDECKER. I do not think the moral quality is what the Security League was driving at.

Mr. SAUNDERS. Well, what else were you after? You were not after immoral qualities and disloyalities, I hope?

Mr. LYDECKER. We were after men who had the breadth to cover the national dignity of the United States.

Mr. SAUNDERS. Yes.

Mr. LYDECKER. Now, that was as brief a way as I knew to put it.

Mr. SAUNDERS. Very well.

Mr. LYDECKER. I do not think it was a question of morality, unless it was the fact that there was anybody—which I don't know—that was decidedly pro-German.

Mr. SAUNDER: Well, I will take it on that.

Mr. LYDECKER. And who, by doing that way, was not moral.

Mr. SAUNDERS. All right. Now, that gets us to something definite. I will ask the reporter to read the question for me.

The reporter read as follows:

Well, now, with respect to those men, if they cast these disloyal votes, or unwise votes, would not you hold them to a greater responsibility than the men that might not be so able? In other words, would not the moral quality of their act be much more reprehensible than that of a man who did not have as much vision? That is all I have ever asked you.

Mr. LYDECKER. Question of what?

Mr. SAUNDERS. Do you think men who cast the votes contained in your acid chart, and regarded by you as wrong or improper votes, met your requirements?

Mr. LYDECKER. I think they in different degrees failed to meet the requirements which the Security League regarded under the view of statesmen.

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Mr. SAUNDERS. Now, what do you mean by this: "Different degrees"?

Mr. LYDECKER. Well, you have referred to a man who had one vote wrong, or two votes wrong, or four votes wrong, or seven votes wrong, what was it, according to that chart, and have asked me if I brand a man as disloyal.

Mr. SAUNDERS. You can not deny that a man who goes wrong on seven of these votes was not in a greater degree wrong than a man who did not cast those votes, do you mean that?

Mr. LYDECKER. No.

Mr. SAUNDERS. What do you mean by it, then?

Mr. LYDECKER. Of course, I don't mean that, and under Senator Harrison's examination I very fully stated the difference.

Mr. SAUNDERS. What was it?

Mr. LYDECKER. What did I say?

Mr. SAUNDERS. Yes; I don't recall that.

Mr. LYDECKER. I said that a man might have voted on some of those earlier preparedness measures and have voted right on the declaration of war and on the conscription act and on the Cooper amendment. I thought that there was a——

Mr. SAUNDERS (interposing). The Cooper amendment and the——

Mr. LYDECKER (interposing and continuing). Reason for wise judgment in the question which came up for criticism.

Mr. SAUNDERS. The Cooper amendment, then, and the declaration of war, and the conscription amendment are the really most acid of these acid tests?

Mr. LYDECKER. I have gone into great detail into the examination heretofore made, and spoken comparatively of those. They were comparative in my mind. I regarded the McLemore resolution as being about as critical an indication of a man's mentality——

Mr. SAUNDERS (interposing). Well, I will add that then. They are the four really most acid of the acid tests in your judgment? I am simply getting your attitude about it.

Mr. LYDECKER. Yes; I should say that in my opinion, or that in the opinion of the committee, it might have been the Kahn amendment to the Hay bill or the volunteer reserve, in April, 1916, that those were considered as exceedingly critical, but in my opinion those that you mention are——

Mr. SAUNDERS (interposing). All right.

Mr. LYDECKER (continuing). A little more acid——

Mr. SAUNDERS (interposing). That the others——

Mr. LYDECKER (continuing). Than the others. That would be my opinion.

Mr. SAUNDERS. In other words, you inferred that as a deduction then—a fair deduction—that a man who cast those votes was a man who was desirable in public life?

Mr. Lydecker. That I thought he would have been?

Mr. SAUNDERS. Well, would you draw that deduction?

Mr. LYDECKER. He would not be as desirable a man as one who had a comprehension of the situation that we were up against, and who met them in the way that we regarded as a proper way to meet them.

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Mr. SAUNDERS. That is, getting off the track now. Then that man, according to your ideals and standards, is not a desirable man in public life?

Mr. LYDECKER. No, I did not say that. I say, you say that a man is not desirable, when I say that there is more or less desirability between certain men, but I did not say that a man is necessarily not desirable. The community sent him here, and he might ultimately be on what is right.

Mr. SAUNDERS. What do you mean—the man who voted on these bad votes might be the best the voters had to send here?

Mr. LYDECKER. Yes; he might have had an opponent who was ten times worse.

Mr. SAUNDERS. It was only with reference to men who were possibly worse, and that it is not the man's record that was good or bad?

Mr. LYDECKER. The ideal man we might pick out for Congress might be better than the man who had the bad votes.

Mr. SAUNDERS. It would be—the illustration that you have just given the committee would be that the district was making the best of a bad bargain—a man with those half dozen bad votes was bad enough, but if you can't get a better one it would be better to send him back than somebody worse?

Mr. LYDECKER. That is right.

Mr. SAUNDERS. Your idea, then, with respect to these votes, I think this will be a fair conclusion, is that you could draw therefrom a conclusion as to what would be that man's future course with respect to matters affecting the security of his country?

Mr. LYDECKER. I would not say that that would not be necessary. I did not oppose an individual. We opposed his record for what it was worth.

Mr. SAUNDERS. Did you not have in mind, Col. Lydecker, in sending out this chart that the voters in the district, having in mind that these bad votes that these men had cast, might be apprised of the votes would be able to draw a conclusion as to what would be the future action of that man should he be returned to Congress, upon questions affecting the security and the interests of the Nation?

Mr. LYDECKER. I presume that is your deduction.

Mr. SAUNDERS. That would be a fair deduction. Then we come back to the question I asked you some time ago that in sending out this record with respect to these men who were contained in it, you distinctly had in mind the prejudice of that individual?

Mr. LYDECKER. Not political.

Mr. SAUNDERS. Not political?

Mr. LYDECKER. Not political.

Mr. SAUNDERS. All right, then, I will let this go at that. I am through.

Mr. WALSH. Col. Lydecker, if it was the desire of the National Security League to help win the war, and to see that only loyal men and men of demonstrated ability were elected to Congress last November, in your judgment, would it not have been better, if you devoted your activities to seeing that only that class of men were nominated for Congress by the leading political parties?

Mr. LYDECKER. Well, it is possibly so, but I have no recollection when this compilation was made, and I am quite sure it was made

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before the nominations were made in many districts, and I do not think that the league ever undertook to either control nominations or to direct them in any way; and on the contrary, I think that what I said to my own committee was, "Under no circumstances are you to take part in local discussions concerning the merits of a man. We don't know anything about what his good points are nor his bad points, or his habits, or anything. That is a purely local affair with which we have absolutely nothing to do. As far as localities are concerned, the voters are their own judges, and we have nothing to do with it;" but in this national propaganda, concerning the war, the winning of the war, the publication of the votes on preparedness appears to be a reasonable activity that in our general educational work we can disseminate, and that is the whole of the activity, as I understand, this league undertook to do.

Mr. WALSH. Well, Colonel, I may have asked you this question the other day: If you did not take any steps to ascertain the mental attitude or the vision of those candidates for Congress who were not seeking reelection, how were you to aid the people of the various districts throughout the country in seeing that men of only demonstrated loyalty and ability were elected to Congress; for instance——

Mr. LYDECKER (interposing). I do not know that a congress was what we were seeking to get.

Mr. WALSH. Well, possibly you stated the other day that you did not send out any information or seek to direct the people of the various districts with reference to candidates for Congress that were not Members of the Sixty-fifth or the Sixty-fourth Congress. Your league only sent out literature and charts in the congressional activities relating to the Sixty-fifth and Sixty-fourth Congresses.

Mr. LYDECKER. I think so.

Mr. WALSH. Yes; you did not seek to enlighten the people as to candidates who were not Members of Congress seeking reelection?

Mr. LYDECKER. I suppose the chart was a complete chart.

Mr. WALSH. No; you do not get my question yes, Colonel. For instance, take the Fifth district of New York. I do not know which one it is. There is a candidate running for reelection for Congress in that district. He is being opposed by a man who never sat in the Congress. Now, with reference to men who never held a seat in Congress, you made no inquiry nor sent out no information about his mental vision or his views upon these public questions?

Mr. LYDECKER. I think not.

Mr. WALSH. No; so that in the activities of your league, through its congressional committee, you only concerned yourself with the records made by men who were sitting in Congress?

Mr. LYDECKER. That is right, I think.

Mr. WALSH. Well, if a man who was a person who was seeking reelection was opposed by a candidate who was decidedly pro-German in his views, would it have aided the people of any particular district to have told them that their sitting representative had voted wrong each time on the eight preparedness measures selected by your league?

Mr. LYDECKER. Well, I don't know that that situation ever arose, or that it was contemplated that there was any reason for having a pro-German put into—I am informed by Mr. West that this committee of mine sent a questionnaire to all candidates everywhere.

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Mr. WALSH. I understand that you sent the questionnaire, but my question——

Mr. LYDECKER (interposing). And the answers were matters of publication.

Mr. WALSH. Well, now, take, for instance, the district in Wisconsin represented by a Member of the House who voted, I think, seven or eight times wrong on the acid test; he was defeated and a Socialist was elected in his place. Did your league in that particular district send out any literature, publications, or bulletins, with reference to the undesirability of electing Victor Berger to Congress?

Mr. LYDECKER. I don't know.

Mr. WALSH. You do not know?

Mr. LYDECKER. I do not know.

Mr. WALSH. Are you connected with or a member of the firm that publishes and compiles a most excellent legal directory in New York?

Mr. LYDECKER. A legal directory?

Mr. WALSH. Yes.

Mr. LYDECKER. No; you say connected. I may be a subscriber.

Mr. WALSH. I did not know but what you were.

Mr. LYDECKER. I may be a subscriber to the Hubbel Legal Directory. No; I have absolutely nothing to do with the publication of any legal directory.

Mr. WALSH. Is it a fair statement to say, Colonel, that your position as president of the National Security League is that you and your associates, having in mind the purpose to help win the war and to assist in creating the sentiment more favorable to preparedness, both as to the physical properties needed and to the mental attitude of the citizens, felt that you had a perfect right to form this association or corporation to engage in the dissemination of literature, to seek to educate the people or to participate as you did, in the manner in which you did, in a national election, throughout the country, and to expend money for the purpose for which you did expend it, without being required by any law to account for your expenditures wherever they may have been made for political or semipolitical purposes and as was done in the case of the activities of your congressional committee, and that you and your associates have not wittingly or intentionally sought to evade or violate any law of the Nation or State?

Mr. LYDECKER. Is the fact——

Mr. WALSH (interposing). Yes, sir.

Mr. LYDECKER (continuing). That we have never known or had our attention called to the possibility of any obligation to file a return, and it was for that reason that none was filed, and it was not up to us.

Mr. WALSH. Nor to evade or violate any other law?

Mr. LYDECKER. Absolutely no intention to evade any law. There was no reason why the utmost publicity should not have been given to every one of our activities, because, as I have undertook to explain to this committee here——

Mr. WALSH (interposing). And you were dealing with matters with respect to the congressional election, which were matters of public record and published in the Congressional Record?

Mr. LYDECKER. Nothing else.

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Mr. WALSH. And that you felt that you gentlemen in New York and other gentlemen in other States were perfectly free to organize and carry on these activtities in a similar manner if they so saw fit?

Mr. LYDECKER. Well, I have no idea of any of the other branches carrying on any work except, perhaps, the discussion of this chart.

Mr. WALSH. No; but your position is that they could have if they so saw fit?

Mr. LYDECKER. If they were a national—they were local, however. They were local and therefore——

Mr. WALSH (interposing). But they were branches of the national organization?

Mr. LYDECKER. Of a national organization, and the activities of the national organization were also emanated from the national headquarters.

Mr. WALSH. Do you consider—and I am asking for your individual judgment—that the man who voted wrong on the eight acid tests which your league has included in its chart violated their oaths of office, Members of the House of Representatives?

Mr. LYDECKER. Oh, no, no. I can not believe that. I can not believe that a man who has an idea different from me is necessarily violating his oath of office.

Mr. WALSH. No; but would you believe that a man who had voted wrong eight times was a man of unquestioned loyalty to his country on those eight test votes?

Mr. LYDECKER. Using the word "loyalty" in the sense of loyalty to one's country does not appeal to me to be quite the same as loyalty to the highest ideals of Americanism, and therefore I would not characterize him, even though he voted wrong, as a disloyal man to his country——

Mr. WALSH (interposing). Well?

Mr. LYDECKER (continuing). Or a traitor.

Mr. WALSH. No. Well, Colonel, would you consider a man whose record was the very essence of pacificism during the Sixty-fourth and Sixty-fifth Congresses as a man of unquestioned loyalty?

Mr. LYDECKER. Well, I would not want to be asked to measure his loyalty——

Mr. WALSH (interposing). Yes.

Mr. LYDECKER. By his acts. I don't know what his surroundings are or what his constituency is or what the motives underlying eight wrong votes might be. They might be pro-German; they might be hereditary; they might be something else. I would not wish to form a conclusion. I form no conclusion. But, on the other hand, I think the man who voted against all those eight votes that we considered wrong embodied the essence of pacifism at the time that our citizens were being sunk on the seas and we were being insulted by the German chancellor and the people of Germany and in every way being put in a contemptible light for which the dignity of this country had to suffer.

Mr. WALSH. Yes. Well, now, then, at the time some of these acts were being committed, the Chief Executive of the Nation had publically opposed any undue increase in our armament or in our naval forces, and had stated that there was no need to become excited, had he not?

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Mr. LYDECKER. He had.

Mr. WALSH. And in his address to Congress, as Mr. Reavis suggests, he had suggested that to enact legislation looking toward increase in military and naval preparedness would be misconstrued—might be misconstrued by some of the belligerent nations.

Mr. LYDECKER. That is true.

Mr. WALSH. Yes, sir; so that if members of the President's own party had been guided by the sentiments expressed by the Chief Executive of the Nation and the leader of his party and the Commander in Chief of the Army and the Navy, you would say that they might have cause to cast the votes they did upon those measures at that time without being lacking in patriotic vision, would you not?

Mr. LYDECKER. Well, I regard the Members of Congress as having a strong conviction which runs against his party as not necessarily being bound to follow his Commander in Chief and his political executive. I do not understand that there is anything that compels him to do that.

Mr. WALSH. No.

Mr. LYDECKER. I understand that his mental attitude may be ascertained by his acts, and that it is not a question of party where the whole national idea is involved. That is my feeling about a representative in Congress.

Mr. WALSH. Well, Colonel, under the situation, the President is called upon to give to Congress information, from time to time, upon the state of the Union, and to make recommendations, and the committees of Congress are guided to some extent by the view of the Chief Execuive, and members of his Cabinet. If the Chief Executive and the members of his Cabinet having to do with naval and military affairs were of the opinion that further increase in military and naval preparedness was not desirable, would you say that that would not excuse the lack of vision on the part of Members of Congress who voted in accordance with the recommendation of the President and his advisors, the President and his advisors being in possession of all sources of information, and the actual conditions?

Mr. LYDECKER. I think the Member of Congress is entitled to consideration for his regard to the administrative policy, and that that may, under many circumstances, be a complete extenuation, but I would not say that it was a complete excuse for a very big mistake. I do not regard the President of the United States as exonerated from any mistake that he may have made because he happened to be President, although I may be of his party.

Mr. WALSH. Yes, sir. Now, with reference to the 47 men who were on the honor roll, would you state, Colonel, that the effect of your literature and the chart which you sent out pertaining to the election of Members of the House was to furnish to the people of the country a statement of fact that if none except these 47 men on the honor roll were elected that only then would men of demonstrated loyalty and ability have been elected?

Mr. LYDECKER. Oh, I never would come to that conclusion.

Mr. WALSH. No, sir?

Mr. LYDECKER. I never thought that.

Mr. WALSH. Now, your purpose in participating in the congressional election was to help win the war?

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Mr. LYDECKER. Yes, sir.

Mr. WALSH. Now, I will ask you, Colonel, if, in view of publication by your league of the chart and its bulletins and other literature pertaining to the congressional elections, and in spite of the appeal made by the leader of one of the political parties just before the congressional elections, and taking into account the result of the congressional elections, do you thing your league, in participating in them to the extent which you did, helped to win the war?

Mr. LYDECKER. Well, my knowledge of the activity of the league has been mainly connected with its educational work, and I have not had any information, nor have I followed it out, nor do I know what the result has been, or whether any effect may be found to have been created by reason of what this congressional committee did—I can not answer you. I would ask you to ask Mr. Orth.

Mr. WALSH. I did not know but what you had an opinion.

Mr. LYDECKER. I have never taken enough personal direction or had sufficient knowledge to know. I would tell you frankly if I knew, but I tell you that the main activities of the league have been along the educational side, and what this congressional committee may or may not have done, I regret to say, I can not tell you.

Mr. WALSH. But you are willing to assume, as president of the league, whatever responsibility may be attached to the activities of Mr. Orth?

Mr. LYDECKER. I can not reply to that at all. I was only elected there to take that position, and these committees were there, and they have carried on their work and I have not stopped it.

Mr. WALSH. You only have a general knowledge of its workings?

Mr. LYDECKER. I have a general knowledge of the activities of these committees, and as far as possible tried to hold them within what I thought were the exact limits of the proprieties in a national win-the-war effort.

Mr. WALSH. I think that is all, Colonel.

Mr. CARAWAY. I shall be brief with you, Colonel. There is only one thing I was going to ask you at all. This forenoon, in speaking of the activities of the league with reference to educating the colored race, you were stopped, as I gathered it, in the midst of one of your statements. Does it have anything to do with political situations concerning the colored race, or deal simply with problems of thrift and economy?

Mr. LYDECKER. May I give you the paper written by Dr. Moore—and I was not permitted to add to my testimony what I desired, that in addition to 20,000 of these being sent to the teaching centers in Mississippi we are distributing 50,000 through the Young Men's Christian Association at the demobilization camps of the negro troops. It has absolutely nothing to do with political matters, but has solely to do with the inculcation of ideas of thrift and economy and industry and the saving of food——

Mr. CARAWAY (interposing). Did you use the word "electorate" at all in your former answer?

Mr. LYDECKER. An educated electorate, I think I said, was one of the aims of the educational work that the league hoped to accomplish.

Mr. CARAWAY. That is all.

Mr. JOHNSON. Colonel, before you leave the stand I want to get in my own mind as clearly as possible the understanding of the league

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concerning the McLemore resolution. In the chart you use this language speaking of the McLemore resolution:

This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel the high seas.

Now, I wish to ask you what you intended to convey to the public as to what the result would have been if the McLemore resolution had passed.

Mr. LYDECKER. It would have prohibited the American citizen from sailing the high seas on ordinary merchant vessels or passenger steamers.

Mr. JOHNSON. You mean to say, then, that by the language which I have just read from your chart you meant——

Mr. LYDECKER (interposing). I should have added, "which were engaged in war."

Mr. JOHNSON. I will ask the stenographer to read your answer now.

Mr. LYDECKER. Yes; I shall have to correct that.

(The stenographer read the answer of the witness, as amended as above recorded.)

Mr. LYDECKER. I have added, "of the countries engaged in war."

Mr. JOHNSON. Now read the answer as corrected.

(The stenographer read the answer of the witness as follows):

It would have prohibited the American citizen from sailing the high seas on ordinary merchant vessels or passenger steamers of the countries engaged in war.

Mr. JOHNSON. You intended by what you have said in the chart relative to the McLemore resolution that private citizens of the United States would have been prohibited from traveling the high seas upon merchant vessels owned or controlled by any of the nations then at war?

Mr. LYDECKER. Yes.

Mr. JOHNSON. And by the language in the chart you did not mean to say more than that?

Mr. LYDECKER. I think that was the intention.

Mr. JOHNSON. Your intention was to say no more than that if the McLemore resolution had passed a citizen of the United States could not thereafter have gone upon the high seas in a vessel owned or controlled by any one of the several countries then at war?

Mr. LYDECKER. And secure the protection, as a citizen, of the United States?

Mr. JOHNSON. Do you think that the language in your chart makes that plainer than you have just said it?

Mr. LYDECKER. I have never heard any suggestion that there was any misunderstanding about the description of the resolution.

Mr. JOHNSON. But that is not what I asked you.

Mr. LYDECKER. Do I think it would have made it any plainer? Yes.

Mr. JOHNSON. I will ask the stenographer to read the question to you.

(The stenographer read the pending question, as follows:)

Do you think that the language in your chart makes that plainer than you have just said it?

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Mr. LYDECKER. No; I do not think it makes it plainer than I have just said it.

Mr. JOHNSON. Do you think that the language which you have just used defining the effect of the McLemore resolution, if it had passed, is plainer than that used in the chart?

Mr. LYDECKER. Yes.

Mr. JOHNSON. You think the language you have just used, then, is better than that which you have used in the chart?

Mr. LYDECKER. Plainer, more full.

Mr. JOHNSON. Plainer and more full. In what way was it plainer? I will ask you to make a comparison between the two and state in what way it is plainer.

Mr. LYDECKER. You have asked me what I thought was the McLemore resolution, the effect, and I have told you my own recollection, but I won't vouch for my recollection. If my recollection is right, why it would, perhaps, have been more plain if it had said, instead of saying that American citizens——

Mr. JOHNSON (interposing). That is the language that your chart does use?

Mr. LYDECKER. Yes. You are asking me to explain in what way it would have made it plainer—the language used:

The resolution was to the effect that American citizens who go there should forego their natural, legal, and constitutional rights to travel on the high seas, which are ordinarily that they may travel to and fro on ships not carrying contraband and not ships of war.

Mr. JOHNSON. It is your opinion, then, that if the McLemore resolution had passed, thereafter no American citizen could have gone upon the high seas and at the same time have been protected by the United States, if he was upon the high seas in a vessel owned by any of the countries at war?

Mr. LYDECKER. Which was destroyed by the enemy, whereby life was lost. I think that was the idea.

Mr. JOHNSON. Well, you have failed to answer me, Colonel.

Mr. LYDECKER. I tried to.

Mr. JOHNSON. For the present, at least, I will take the blame of your failure upon myself. I will try to ask the question in different language, hoping that I may be able to make myself understood.

When the league sent out this chart and used the language it does use relative to the McLemore resolution, did it mean to say, and did it say, that if an American citizen went upon the high seas in a vessel owned or operated by some country then at war, he lost all protection of the United States?

Mr. LYDECKER. Are you asking about the McLemore resolution?

Mr. JOHNSON. Colonel, is it possible for you to understand that I asked you about anything else than the McLemore resolution?

Mr. LYDECKER. Yes; it is possible that I did.

Mr. JOHNSON. May I ask if it is humanly possible?

Mr. LYDECKER. Yes; I am capable of making a mistake at this hour, and I am endeavoring to answer you. Will you read the question?

(The stenographer read the pending question as above recorded.)

Mr. LYDECKER. I think that was the intent.

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Mr. JOHNSON. Was it then and is it now your understanding, as president of the National Security League, that if the McLemore resolution had passed without anything further being done and an American citizen had gone upon the high seas in a vessel owned or operated by any one of the nations then at war, he would have forfeited all right to protection by the United States Government?

Mr. LYDECKER. That was my idea.

Mr. JOHNSON. Have you ever read the McLemore resolution?

Mr. LYDECKER. I can not say that I have.

Mr. JOHNSON. You can not say that you have?

Mr. LYDECKER. No; that is a matter——

Mr. JOHNSON. I do not wish to interrogate you about it unless you have read it.

Mr. LYDECKER. I can not recall at this minute. You will have to get my recollection refreshed a little bit better, because I am not clear in my own mind at this minute. If you will hand me that McLemore resolution and let me get my memory back on this, I will tell you the best I know.

Mr. JOHNSON. Do you mean to say that you, as President of the National Security League, sent out this chart relative to a statement about the McLemore resolution without your first having read the McLemore resolution?

Mr. LYDECKER. Oh, yes; the chairman of the committee is the one responsible for that.

Mr. JOHNSON. And you, as president, bear no responsibility in that respect?

Mr. LYDECKER. Well, I explained to Mr. Walsh the full responsibility that I bear. If that is incorrect and I have acted on the work of this committee, I must bear the responsibility.

Mr. JOHNSON. If you have not read the McLemore resolution, I do not wish to interrogate you about it.

Mr. LYDECKER. I can not recall that I have read that resolution.

Mr. JOHNSON. I can not comprehend why the president of a league like yours, of its length and breadth and depth, would send out a chart like that, that meets your approval, and then come here and say you have not read it.

Mr. LYDECKER. Will you allow me to finish the answer to the question that was asked by Mr. Reavis, concerning the activities, which was only partly completed?

Mr. JOHNSON. You may make any statement you desire.

Mr. LYDECKER. I desire to state, having given you a portion of the activity in respect of the organized education—that is to say, institutions—that in addition to that the activities contemplate the continuation of the scientific-experiment stations in the Oliver School at Lowell, and in the Los Angeles Normal School, and that the league is likewise endeavoring to secure the education of men in technical institutions which are concerned in training men to handle workmen.

Mr. REAVIS. Just a moment, Colonel. That is not responsive to any question I ever asked you.

Mr. LYDECKER. You asked me, What are the activities which the league intends to follow?

Mr. REAVIS. No; I did not. I asked you what you intended to do to steady the Nation.

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Mr. LYDECKER. I am telling you now. You ask me about this committee, and I am giving you the work of the committee, which you designate as the committee to steady the Nation.

Mr. REAVIS. Then, you mentioned, in answer to the question I asked you, roughly, the activities of a committee to steady the Nation?

Mr. LYDECKER. Yes.

Mr. REAVIS. And this is——

Mr. LYDECKER. This is a statement of the activities they are engaged in for that purpose, which I desire to complete.

Mr. REAVIS. Go ahead.

Mr. LYDECKER. Having covered the ground in respect of those institutions, the subject of the Americanization of adults is carried on through the dissemination of propaganda in the nature of the pamphlets which are here, a list of which I ask leave to file for the information of the committee—a list of pamphlets issued during the past two years and up to the present time.

Then I wish to add that the remaining part of the work of propaganda, in respect to the adults, is the dissemination of the work of the committee on the Constitution of the United States and the celebration, in due form, of the ratification of that Constitution on the 17th day of September, 1919.

I will ask to file the list of pamphlets that have been published by this league as the activities of the league in respect of its educational committee.

Mr. REAVIS. I presume that request will be held in abeyance and the list be left with the reporter. That was the agreement of the committee.

Mr. LYDECKER. Can it not be decided now whether it is going to be admitted or not? I have a list of the publications, and I will offer the publications, if it is desired.

Mr. JOHNSON. What is this?

Mr. REAVIS. He has a list of publications that he desires to put in as a part of his testimony—all publications prior to the reorganization of this league, and my question referred to activities afterwards. I do not think it ought to go in, because it has nothing to do with the question as far as I am concerned.

Mr. LYDECKER. It has to do with it, because these pamphlets on education are all part of the——

Mr. JOHNSON. Unless the committee orders it by vote of the committee the committee will not go into the publishing of books and pamphlets.

Mr. LYDECKER. I do not want the books and pamphlets; I want a list of these pamphlets introduced in the evidence showing what the activities of this league are.

Mr. WALSH. If the committee will not put it in, I will ask the question. Have you there, Colonel, a list which shows the activities of the league and the contemplated activities of the league as comprehended by the publication and circulation of circulars and documents?

Mr. LYDECKER. I have a list of eight pages, giving the names of the material and the authors.

Mr. WALSH. Will you file that with the committee?

Mr. LYDECKER. I will.

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(The list referred to is as follows:)

LIST OF PAMPHLETS ISSUED DURING THE LAST TWO YEARS,

America and the Great War. Arthur E. Bestor.
America at War. Albert Bushnell Hart.
America's Present Needs (address). Elihu Root.
Americanization Service.
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Autocracy v. Democracy, Speakers' Bureau Leaflet.
Before the War, during the War, after the War.
Christianity in International Relations. Herbert Barry.
Concept of National Service. S. Stanwood Menken.
Congress of National Service, Delegates.
Conscientious Objector, The. Dr. George Herbert Meed.
Converted and Secret Americans. Alfred M. Brooks.
Correspondence Course in Patriotism.
Crack in Germany's Armor, The. W. H. Hobbs.
Concurrent Resolution Submitted to the Senate of the United States. Robert L. Owen.
Defense Not Offense, The Guard at the Door. Form 10B.
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Fifteen Little War Stories. Herbert Myrick.
Fourth of July Oration. Hon. Geo. W. Wickersham.
German Tragedy. Dr. Henry W. Farnam.
Getting Your Audience. Rev. Dr. Sartell Prentice.
Gibbons for Training, Cardinal.
Great Emergency, The. J. Bernard Walker.
Gompers *vs.* Arthur Henderson, Samuel. E. S. Van Zile.
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How to Pronounce War Names.
How the German Empire Has Menaced Democracy. Talcott Williams.
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Hurry Up, America! Pomeroy Burton.
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Handbook, Suggestions for Use of. Hart & Lovejoy.
Ideals of Our War, The. R. M. McElroy.
Jewish Pamphlets (Why We Are at War).
Knowledge by the People True Basis of National Security. S. Stanwood Menken.
Lawrence Plan for Education in Citizenship; a Statement of Aims and Principles.
League and the Teacher, The. Col. C. E. Lydecker.
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Money, Munitions, and Ships (address). Frederic R. Coudert.
Naval Policy. Bradley A. Fiske.
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Outlook for Democracy. Dr. William H. Hobbs.
Pacifism, The Failure of. Francis J. Oppenheimer.
Policy and Armaments. Frederick Scott Oliver.
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Some Neglected Aspects of Public Speaking. Prof. Solomon H. Clark.
Songs for Patriotic Meetings.
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Speakers' Training Camp, Reasons for and Objects of.
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Stop Malicious Rumors—Help Win the War. National Committee of Patriotic Societies.

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Suggestions for Speakers on the United States and the World War. Richard T. Ely.
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Second-Line Trench. E. V. Leighton.
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Tentacles of the German Octopus in America. E. E. Sperry.
Teacher and the War. The. Dr. F. L. Patton.
This Will Win the War (poem). R. Kipling.
Teachers' Patriotic Leaflets, volume 1, 1–6. E. V. Leighton.
United States and the World War. Richard T. Ely.
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Universal Selective Training, Plan of.
Universal Obligatory Military Training and Service. George R Conroy.
Universal Military Training. H. L. West.
Vote by States in the Senate and House on Preparedness Measures.
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Why We Are at War, Why You Must Help, etc.
What Doest Thou Here, America? Sartell Prentice.
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Whitnes, Articles, The Casper.
What Fight Ye For? Rev. J. R. Cassidy.
Why American Labor Is Back of the War. George W. Perkins.
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Why Do We Fight Germany? Hon. Franklin K. Lane.
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Wisconsin Resolution, May 17, 1918.
Wake Up, Teachers of America. E. V. Leighton.
What Universal Military Training Can Do (leaflet).
What the Kaiser Says.
Why We Are at War with Germany. Charles Robinson Smith.
Work of the National Security League. Henry L. West.
You Will Win the War. George Horace Lorimer.
Your Fellow Citizens Ask You to Do Your Duty (circular).

Mr. LYDECKER. The above is a list of the pamphlets given us by Mr. Cooney, December 4, 1918.

Mr. BROWNE. I want to ask the colonel two or three questions. Are you acquainted with Prof. William H. Hobbs?

Mr. LYDECKER. Yes.

Mr. BROWNE. How long have you known him?

Mr. LYDECKER. Oh, possibly a year.

Mr. BROWNE. Has he any official office or is he on any of the committees of the National Security League?

Mr. LYDECKER. Whether he has been on the committee of Dr. McElroy I am unable to say. I think not. I think he is not on any committee.

Mr. BROWNE. Well, he is a member of the league, is he?

Mr. LYDECKER. Oh, yes; he is a member of the league and has taken an interest in our activities, and I have met him in New York.

Mr. BROWNE. You do not know of his holding any office or being a member of any committee?

Mr. LYDECKER. No; I do not.

Mr. BROWNE. Does he receive any pay from the league?

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Mr. LYDECKER. No.

Mr. BROWNE. You are sure of that?

Mr. LYDECKER. I am as sure as I am of anything about the league. I never drew a che k to his order that I know of.

Mr. BROWNE. Has he received any compensation for any lectures that he gave?

Mr. LYDECKER. Never, to my knowledge.

Mr. BROWNE. Do you know Prof. Claude H. Van Tyne?

Mr. LYDECKER. Yes; I have met him.

Mr. BROWNE. Where is he from?

Mr. LYDECKER. The University of Michigan, I think.

Mr. BROWNE. Does he hold any office or is he a member of any committee of the league?

Mr. LYDECKER. No.

Mr. BROWNE. He is a member of the league?

Mr. LYDECKER. A member of the league.

Mr. BROWNE. Does he receive any compensation from the league?

Mr. LYDECKER. No.

Mr. BROWNE. Do you know of any checks being issued to either Hobbs or Van Tyne for traveling expenses or anything of that kind?

Mr. LYDECKER. I do not know, but I have no doubt that both Dr. Van Tyne—well, I won't say about Hobbs—but I have no doubt that Dr. Van Tyne has made some journey and been repaid the expenses of his lectures, although I have no distinct recollection of it. The records will show.

Mr. BROWNE. Now, these charts that have been exhibited here, and other literature, you stated had been sold to different ones who wrote and asked for them?

Mr. LYDECKER. I was told by Mr. Orth that there had been some requests and they had been told they could have them by paying the actual cost of printing. I have no knowledge of any sale, but that I understand has been done.

Mr. BROWNE. Well, your books and records will show if any large quantity of this had been sent to any particular person?

Mr. LYDECKER. They will.

Mr. BROWNE. Whether they are candidates for office?

Mr. LYDECKER. I think so.

Mr. BROWNE. Who would have charge of such books?

Mr. LYDECKER. The treasurer of the company is A. J. Hemphill, and the bookkeeper is Mr. Calhoun, at the headquarters of the league.

Mr. BROWNE. Those men would know?

Mr. LYDECKER. Mr. Calhoun would know.

Mr. BROWNE. What book would contain that? Do you know?

Mr. LYDECKER. The records of the finances, I think, are in three or four books.

Mr. BROWNE. And you also have a list of every member of the league, there in New York City, with their names and addresses?

Mr. LYDECKER. Well, I told you I understood a list was kept, but whether it is up to date or not I can not say, or whether we have an absolutely correct list of the membership of all the branches I can not say, because they come and go.

Mr. BROWNE. Who would have charge of that list?

Mr. LYDECKER. The list of the branches?

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Mr. BROWNE. The list of the membership.

Mr. LYDECKER. Oh, it is at the office of the league, I presume.

Mr. BROWNE. What officer? The secretary?

Mr. LYDECKER. Mr. West, the executive secretary.

Mr. BROWNE. Would that state whether they were life members or simply annual members?

Mr. LYDECKER. It would.

Mr. BROWNE. That is all.

Mr. REAVIS. I would like to ask a further question. Any contribution or payment of fees that is made by the several branches throughout the nation, is that remitted to the general national organization?

Mr. LYDECKER. I think not.

Mr. REAVIS. So you would know nothing and your books would disclose nothing with reference to contributions or expenditures on the part of any of the branches?

Mr. LYDECKER. I think not; I think our records will show merely the percentage of the dues which they pay and if any of them have contributions for any particular purpose, we have no knowledge of that.

Mr. REAVIS. Would any of these branch organizations send in money to the national organization?

Mr. LYDECKER. Only what I am telling you—a percentage of the membership dues.

Mr. REAVIS. They do not send any portion of a contribution?

Mr. LYDECKER. No; I do not know of their getting contributions.

Mr. REAVIS. What percentage of their dues would they send to the national organization?

Mr. LYDECKER. Well, I will have to ask Mr. West to answer that.

Mr. REAVIS. If you do not know, we will take care of it when we get to Mr. West. When you gave us the total of receipts and the total of expenditures, as I understand it now, that was simply in the New York office?

Mr. LYDECKER. Yes.

Mr. REAVIS. And did not include the branch offices?

Mr. LYDECKER. We have nothing to do with them.

Mr. REAVIS. You have nothing to do with them?

Mr. LYDECKER. No.

Mr. REAVIS. Are they not branches of the parent organization in New York?

Mr. LYDECKER. Only to the extent—yes, they are branches, but they are not branches, in the sense that a financial concern would be. The by-laws call for a certain percentage of membership dues to be paid, and they are called branches of the league.

Mr. REAVIS. And you have no control over their activities?

Mr. LYDECKER. I have stated that we do not control their activities except that we would assume control if any branch that was called to our attention had violated the principles of the charter of the league.

Mr. REAVIS. Then I take it for granted that you kept yourself informed as to their activities?

Mr. LYDECKER. As I said in my former interrogation on this subject, there was no system of inspection and no detective work or any-

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thing of that kind. The work of these branches was carried on i their localities mainly, as we supposed, in furtherance of the aim and purposes of the national committee in New York.

Mr. REAVIS. Let me understand you. You assumed control of th branches, to the extent that you would deprive them of their con nection with the National Security League if they violated the term of the organization or your by-laws?

Mr. LYDECKER. I assume that we would, because they had ou name.

Mr. REAVIS. Without any knowledge as to whether they were vi lating them or not?

Mr. LYDECKER. I never said that.

Mr. REAVIS. You said you did not know what they were doing.

Mr. LYDECKER. If we had a complaint we would ascertain.

Mr. REAVIS. Then until the complaint came to you, you were in dulging the presumption they were staying within the provisio of your organization?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. Did you ever have a complaint of any of these branc organizations?

Mr. LYDECKER. Never to my knowledge.

Mr. REAVIS. Was any investigation or inquiry made as to wh amount of money they received or expended?

Mr. LYDECKER. Never.

Mr. REAVIS. Or the sources from which it was obtained?

Mr. LYDECKER. Never.

Mr. REAVIS. Has any inquiry been made as to whether or not th were correctly reporting the legal percentage of the dues they we receiving?

Mr. LYDECKER. Let me hear that question once more, please.

Mr. REAVIS. Let me put in another form. You made the stat ment a while ago that a certain percentage of the dues paid to t branches was remitted to the parent organization?

Mr. LYDECKER. Under the by-laws.

Mr. REAVIS. Did you ever make an investigation or inquiry, did the league, the New York office, ever make any investigation inquiry as to whether you were receiving your full percentage of t dues paid?

Mr. LYDECKER. Oh, I think not. I think everything has gone the faith and honor of the reporting people. I do not know of a investigation, never knew of their books being looked over.

Mr. REAVIS. You just took it for granted you were receiving yo due proportion?

Mr. LYDECKER. Absolutely.

Mr. REAVIS. The prin iple branch outside of New York was Chi ago, as I understand it?

Mr. LYDECKER. I think it was.

Mr. REAVIS. Were there any other branches of considerable co sequence?

Mr. LYDECKER. St. Louis was quite a well-known organizatio

Mr. REAVIS. Any place else?

Mr. LYDECKER. I think Worcester.

Mr. REAVIS. Worcester, Mass?

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Mr. LYDECKER. Yes; and Boston.
Mr. REAVIS. What about Milwaukee?
Mr. LYDECKER. I never knew Milwaukee. It had a fairly large nch. I think. I have never visited it.
Mr. REAVIS. The only means you would have of ascertaining the of the branch would be, I presume, by the amount of money got from the branch?
Mr. LYDECKER. The report of the Secretary of that branch, I pose.
Mr. REAVIS. If one branch returned a large sum of money to the v York office and another one a small amount, you would presume t that which returned the larger sum of money was, of course, the ger branch?
Mr. LYDECKER. Entirely.
Mr. REAVIS. Had you any other means of determining the relative s of these branches?
Mr. LYDECKER. Oh, I think we have. I do not know whether names of the members of these branches have at any time been t in as a compiled list.
Mr. REAVIS. Do you know whether these branches have kept any ounts of contributions?
Mr. LYDECKER. Not personally; I do not know personally.
Mr. REAVES. Have you any information on that?
Mr. LYDECKER. None at all. I never heard of their being any very ive work, except in Chicago, the work concerning the demobilized lier, and possibly holding a few meetings of a patriotic character arding the Czecho-Slovaks and Poles and Bohemians, and things that kind.
Mr. REAVIS. But the organization of these several branches was the ult, I presume, of the activities of the New York organization?
Mr. LYDECKER. I can not answer you, Mr. Reavis, very much about t, because it was all prior to my in umbency.
Mr. REAVIS. They were not self-created; they came from some tive, and doubtless were the outgrowth and the product of the anization that has its main office at New York and is known as national organization?
Mr. LYDECKER. Yes. Mr. Menken traveled about at various places, l at the time the organization was active in the work of securing pular approval on the subject of preparedness he brought together ups in various places throughout the country, and as you may w, we have had a variety of activities connected with—we have l the mayors of cities cooperating. There was quite a large meet- held in St. Louis which was attended by Mayor Mitchell. Those vocates of preparedness controlled these different groups, and y practically formed themselves.
Mr. REAVIS. What was the groundwork of these groups? A char- emanating from the New York office? Or could any number of n get together?
Mr. LYDECKER. We had a little pamphlet, "How to Form a anch," which I think will answer your question.
Mr. REAVIS. I am not inquiring about what should be done to ate the enthusiasm so that an organization would result.
Mr. LYDECKER. You want to know how they formed the branch?

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Mr. REAVIS. What I want to know is this: Did something issue from the New York office, permissive in character, as a license for these organizations that you call groups?

Mr. LYDECKER. Well, it is beyond my power to tell you just how——

Mr. REAVIS (interposing). You do not know?

Mr. LYDECKER (continuing). Just how these different branches met, selected their chairmen, asked to be members and branches, and became branches. I can not tell you that. Mr. Menken will do it, or Mr. West will do it.

Mr. REAVIS. I would rather get it from those who have personal knowledge of it.

Mr. LYDECKER. I think it would be wise.

Mr. JOHNSON. The committee stands adjourned until next Thursday morning at 11 o'clock, in New York, in the Bar Association Building, provided we get quarters there. If we do not get quarters there we will notify the witnesses. In the meantime, Col. Lydecker, two members of the committee are not present, and it is within the range of possibility, although I do not know that it is probable, that further questions may be asked of you by them. Therefore I would be glad if you would be present on next Thursday morning when the committee meets.

Mr. LYDECKER. Do you want Mr. Orth, Mr. West, or Mr. Menken?

Mr. JOHNSON. I would like to have all three of them present; then the committee will determine which one it will take up first.

(Thereupon, at 4.25 o'clock p. m., the committee adjourned to meet in New York City, at 11 o'clock a. m., on Thursday, January 9, 1919.)

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NATIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 9, 1919

PART 4

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.
PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF HOUSE OF REPRESENTATIVES,
New York, N. Y., January 9, 1919.

The committee met in the rooms of the bar association, 42 West Forty-fourth Street, New York City, at 11 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committe will come to order. At the last meeting of the committee Mr. Saunders asked leave to insert some definitions of the word "proletarian." I now give them to the stenographer, and I believe, Col. Lydecker, you wished to do the same, did you not?

Mr. LYDECKER. Yes; I asked the privilege to insert some definitions.

May I ask what dictionary these are from?

Mr. SAUNDERS. They are from Funk & Wagnall's Standard Dictionary, 1918, and Webster's Dictionary.

Mr. LYDECKER. I will ask to read from the Century Dictionary, and will have it here later.

Mr. JOHNSON. It would be very much better if you would put your definitions and Mr. Saunders's in together. You can not do it just now, can you?

Mr. LYDECKER. No; I will have to send for it.

Mr. JOHNSON. Then I would suggest to the stenographer that wherever one is inserted they all be inserted.

(The definitions referred to follow:)

By Mr. SAUNDERS:

Proletarian. A member of the lowest or poorest class. A person belonging to the working classes; a day laborer; wage worker. (Standard Dictionary, 1918.)

Proletarian. One of the poorest and lowest class in a community, or state. One with no property, and only the meanest, or most irregular employment. One of the wage-earning class, especially a laborer for day wages, not possessed of capital. (Webster's Dictionary, 1910.)

By Mr. LYDECKER:

Definitions from the Century Dictionary and Encyclopedia, in 12 volumes, latest edition, 1911, published by the Century Co., of New York:

Proletarian. 1 (a). Of or belonging to the lower classes; hence, mean, vile, vulgar, low. "Proletarian, tything man." (S. Butler, Hudebras, 1. sub. 1, 720.)

2. A member of the poorest class of a community. One who is without capital or regular employment. "We have considered the forcible creation of a class of outlawed proletarians. The bloody discipline that turned them into wage laborers." (Marks, Trans., XXI.)

The proletarian is a person who is possessed of labor force and of nothing else. (Westminster, Ref. C, XXVI, 221.)

Also proletaire.

Proletariat. Proletarians collectively; a body of proletarians, the class of wage workers dependent for support on daily or casual employment. The low-

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est and poorest class in the community. "The proletariat, as the agitators delighted to call the standing class of operatives, meaning by this Roman term for the lowest class in that republic those who had only hands to work with and no laid-up capital." (Woolsey, communism and socialism, IV, sec. 1.) "Those (socialistic) doctrines had in the west (Europe) been bred among the proletariat, the large class of society who had no property, no stable source of income, no steady employment, and no sure hope for the morrow." (Rae, Contemporary Socialism, p. 268.)

Mr. JOHNSON. Do you wish to make any further statement, Colonel? The committee does not wish to ask you any further questions.

Mr. LYDECKER. With the permission of the committee, I desire to correct the testimony that I have read for the last session, where from lack of memory at the end of the day I was asked about Prof. Hobbs and Dr. Van Tyne, if they held any offices; and it escaped my mind that they are each of them members of the executive committee of the league. That is all.

Mr. JOHNSON. Mr. Menken, will you come to the stand?

STATEMENT OF S. STANWOOD MENKEN, 52 WILLIAM STREET, NEW YORK CITY.

(The witness was sworn by Mr. Johnson.)

Mr. JOHNSON. Mr. Menken, please give to the stenographer your full name and address.

Mr. MENKEN. S. Stanwood Menken; residence, 34 West Fifty-second Street; office, 52 William Street, New York City.

Mr. JOHNSON. What is your business, Mr. Menken?

Mr. MENKEN. I am a lawyer.

Mr. JOHNSON. Have you any other business interests?

Mr. MENKEN. No; I am director of a few corporations.

Mr. JOHNSON. What are they, please?

Mr. MENKEN. I am a director of Loft (Inc.).

Mr. JOHNSON. And what is the business of Loft (Inc).?

Mr. MENKEN. Candy. I am a director of F. W. Devoe & C. T. Reynolds Co.

Mr. JOHNSON. What is their business?

Mr. MENKEN. They are a paint manufacturing concern—artists' supplies. I am a director of R. E. Thibault Co., a wall paper company. And I am a director of the Arbris Realty Corporation.

Mr. JOHNSON. What is their business?

Mr. MENKIN. They own real estate in New York City.

Mr. JOHNSON. Have they any other business that you know of besides that?

Mr. MENKEN. They have no other business. I rather think I am president of that company. I am not sure. And I am perhaps director of a few other small corporations.

Mr. JOHNSON. Think of them, if you possibly can.

Mr. MENKEN. I think I am a director of the Corvan Corporation.

Mr. JOHNSON. What is that?

Mr. MENKEN. That is a realty corporation that holds certain apartment-house property here in the city of New York.

Mr. JOHNSON. Any other corporations?

Mr. MENKEN. None that I recall at the moment.

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Mr. JOHNSON. You can not recall being officer or director of any other corporations?

Mr. MENKEN. Not at the moment. I don't think so.

Mr. JOHNSON. For what corporations are you attorney, or have you been attorney during the last three years.

Mr. MENKEN. Well, my firm——

Mr. JOHNSON (interposing). I am speaking of your firms.

Mr. MENKEN. Beekman, Menken & Griscom are attorneys for a very considerable number of corporations. We are counsel for companies operating in all parts of the United States.

Mr. JOHNSON. Name some of them, please.

Mr. MENKEN. The United Gas & Electric Corporation.

Mr. JOHNSON. Well, I infer from their name what they are, but please tell just what their business is and where they operate?

Mr. MENKEN. That is a holding company.

Mr. JOHNSON. A holding company of what?

Mr. MENKEN. I was going to say, owning street railways in many parts of the country.

Mr. JOHNSON. What cities, for instance?

Mr. MENKEN. Well, speaking by recollection—I don't do the detail work of that company personally—they have the New Orleans Street Railway, Knoxville, Houston Gas, I believe; they are interested in the Buffalo system, Lockport, Bloomington, Ill.; a company in Colorado, I think Colorado Springs; Elmira.

Mr. JOHNSON. Well, now, at each of those places, in one place you speak of them as an oil concern and in another place——

Mr. MENKEN (interposing). No; I did not use the word "oil."

Mr. HARRISON. He said gas.

Mr. JOHNSON. Did you mean natural or manufactured gas?

Mr. MENKEN. I rather think they have some of both, but generally manufactured gas.

Mr. JOHNSON. Do you know where their natural gas holdings are?

Mr. MENKEN. I never heard of any of them.

Mr. JOHNSON. Go ahead with your naming of the corporations.

Mr. MENKEN. Then the American Cities.

Mr. JOHNSON. Is that another corporation?

Mr. MENKEN. That is another corporation.

Mr. JOHNSON. In what are they engaged?

Mr. MENKEN. In controlling railway and public utilities corporations.

Mr. JOHNSON. And where are their holdings, their interests?

Mr. MENKEN. They have interests in the same cities.

Mr. JOHNSON. All the same cities you have mentioned?

Mr. MENKEN. No; I wouldn't want to say. I can't define that. And I am counsel for——

Mr. JOHNSON (interposing). When you say you, you mean your firm?

Mr. MENKEN. The firm; yes.

Mr. JOHNSON. Have you any separate employments from your firm?

Mr. MENKEN. No.

Mr. JOHNSON. Has any member of your firm any separate employment?

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Mr. MENKEN. No. Occasionally, for the sake of convenience, one of our firm will act as solicitor or counsel for a company individually. On a reorganization that is frequently so.

Mr. JOHNSON. Of what would the convenience consist?

Mr. MENKEN. Well now, for instance, we are—one of my partners is counsel for the minority bondholders of the San Francisco street railway system.

Mr. JOHNSON. And who represents the majority stockholders?

Mr. MENKEN. I do not know. Some other lawyer.

Mr. JOHNSON. Some other lawyer of what firm?

Mr. MENKEN. In Baltimore. And as a matter——

Mr. JOHNSON (interposing). Do you know the firm?

Mr. MENKEN. Mr. Battjer, a very eminent lawyer in Baltimore. And my partner, Mr. Charles K. Beekman, was asked to go in as associate counsel.

Mr. JOHNSON. In representing the majority stockholders?

Mr. MENKEN. The minority. Mr. Battjer represents the majority, and together they work out a plan. That is frequently done.

Mr. JOHNSON. Name some more corporations represented by your firm?

Mr. MENKEN. Well, our work with corporations is usually in connection with the work of the local bankers and finance companies, and in that way we are brought in contact with them. For instance, take the Gulf & Ship Island Railroad, the Mississippi Central, Southern Lumber, the Woolworth Co., the Louisiana & Arkansas road, the Houston Gas Co.—these different companies, we come in contact with them and act in counsel with them.

Mr. JOHNSON. I am trying to get a list of them.

Mr. MENKEN. I have given you quite a substantial list. Then, in addition thereto we represent a good many estates, and have always had a very substantial——

Mr. JOHNSON (interposing). What estates do you represent?

Mr. MENKEN. I don't know. I have got a practice—we have 17 or 18 lawyers in the office, and it would be almost impossible unless we bring up the office register.

Mr. JOHNSON. You can tell us something of them without offering the register.

Mr. MENKEN. One of the most important estates that we represent is the Van Cortlandt estate, which is a very large estate here in New York City.

Mr. JOHNSON. An estate consisting of what?

Mr. MENKEN. Consisting of a very considerable amount of realty. The Tailer estate, in the same situation.

Mr. JOHNSON. What stocks or bonds has that estate?

Mr. MENKEN. I don't know. I never inquired. I have never been consulted about them.

Mr. JOHNSON. Your firm is representing them?

Mr. MENKEN. Yes. We represent also the Liverpool, London & Globe Insurance Corporation, for which we have been counsel for about 80 years.

Mr. JOHNSON. About how long?

Mr. MENKEN. About 80 years. The Van Cortlandt estate we represented for pretty nearly 90 years.

Mr. JOHNSON. And of what does that estate consist?

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Mr. MENKEN. The Liverpool, London & Globe?

Mr. JOHNSON. Yes. Do you know what their holdings are in the way of securities?

Mr. MENKEN. No; all we do is to attend to their property interests in New York City.

Mr. JOHNSON. You have neither knowledge nor information concerning its assets?

Mr. MENKEN. No; nor have I ever been consulted about that. That is attended to by the finance board.

Mr. JOHNSON. Go ahead about some others, about other estates.

Mr. MENKEN. I represent the executors of the Cutter estate, which is a large estate here.

Mr. JOHNSON. Do you know of what that estate consists, in the main?

Mr. MENKEN. Yes; it consists of bonds and stocks and a good deal of real estate.

Mr. JOHNSON. Do you know of what corporations the stocks and bonds are?

Mr. MENKEN. No; I do not. Of course, my clerks would know that. That comes up in connection with the inheritance taxes. Technically I ought to know, but I really don't pay any attention to that. I have a man that attends to that specially. We are never consulted about the investments in these estates, because we don't have anything to do with investments. We are lawyers, not bankers.

Mr. JOHNSON (after a pause). Go ahead with the naming of the concerns that you represent.

Mr. MENKEN. We represent some sugar companies.

Mr. JOHNSON. What sugar companies?

Mr. MENKEN. Really, I couldn't tell you the names of them particularly. I know the clients when they come in. We represent the Penn-Seaboard Steel Co.

Mr. JOHNSON. Have you gotten away from sugar entirely now?

Mr. MENKEN. Yes. There are a couple of important sugar companies. If you want a list, I can give you a list.

Mr. JOHNSON. Yes; let us not leave sugar so quickly. Do you not know the names of the representatives of any of these sugar clients?

Mr. MENKEN. Yes; this was a company formed by Bertron Griscom & Co., also clients of ours—a banking house.

Mr. JOHNSON. In what way—are they sugar merchants?

Mr. MENKEN. They raise sugar in Cuba.

Mr. JOHNSON. They are Cuban sugar raisers?

Mr. MENKEN. Yes, sir. I have a tobacco client——

Mr. JOHNSON (interposing). Do they refine at all?

Mr. MENKEN. I think not.

Mr. JOHNSON. How is their sugar brought to the United States?

Mr. MENKEN. By steamer.

Mr. JOHNSON. Yes; but I meant in what form; crude?

Mr. MENKEN. Yes; crude sugar.

Mr. JOHNSON. To whom is it delivered here; do you know?

Mr. MENKEN. I have no idea. I have never been consulted about it.

Mr. JOHNSON. What is the name of that sugar company to which you have just referred?

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Mr. MENKEN. I think it is called the Cuban Sugar Mills, if I am not mistaken. I will be very glad to submit a list of my clientele if you want it, and you can make it part of the record.

Mr. JOHNSON. We will be glad to have it to look over.

Mr. MENKEN. I will be very glad to submit it.

Mr. JOHNSON. Do you know who any of the stockholders in this country are, of that concern?

Mr. MENKEN. Yes.

Mr. JOHNSON. Who are some of them, please?

Mr. MENKEN. Mellett, Rowe & Hagan.

Mr. JOHNSON. Where is that concern?

Mr. MENKEN. In New York City, 52 William Street.

Mr. JOHNSON. And another?

Mr. MENKEN. J. G. White, Exchange Place.

Mr. JOHNSON. Another?

Mr. MENKEN. I don't like to mention the names of clients, for fear I might make an error. People would object to it, and I will be very glad to furnish you the details.

Mr. JOHNSON. If you make an error in the names, nobody will be hurt.

Mr. MENKEN. People don't like it.

Mr. JOHNSON. If you make an error in the name and there is no such name, there is nobody to dislike it.

Mr. MENKEN. Well, I am going to say there to you, with the greatest reverence and the deepest respect, that my knowledge of who is interested in my clients' affairs is a private matter which I refuse to communicate. If you want any detailed information, I will communicate it to the committee privately.

Mr. JOHNSON. What is it that is privileged that you decline to communicate? Of what nature is it?

Mr. MENKEN. The interests of my respective clients in the various corporations which I represent. I will be glad to give the information to the committee in a sworn statement on a list, but I am not going to spread it out for the public print.

Mr. JOHNSON. But you have not answered my question yet. The committee is going to respect your rights as an attorney about proper and improper disclosures. It has no desire to do otherwise.

Mr. MENKEN. I have no desire to conceal it, but I would rather give it in the form of a list; then it will be exact.

Mr. JOHNSON. But I would be glad to know what is was that brought it to your mind just at that particular moment that you declined to further disclose.

Mr. MENKEN. Because I was afraid that where there are a vast number of companies, that I might mistake the identity of one client with one company rather than another.

Mr. JOHNSON. Really, now, would that do any harm?

Mr. MENKEN. Well, I don't know whether it would or not, and I am not going to take a chance. My work in litigation——

Mr. JOHNSON (interposing). The committee is going to insist that you make such disclosures as are not privileged.

Mr. MENKEN. I should be very glad to give you a full list and a full record, but I want it to be correct.

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Mr. JOHNSON. Well, the committee is not going to treat as confidential anything that you may communicate to the committee, unless it is privileged.

Mr. MENKEN. You can use it any way you want, sir, after I communicate it.

Mr. JOHNSON. Then why not tell us right now? You seem to have struck some point where you have taken refuge behind your privilege as an attorney, and I would like to know just what it is, now, that has come to your mind where you claim the privilege as an attorney.

Mr. MENKEN. It is this, Mr. Chairman: My work in my office, each partner dividing up the work in a business the size of ours, one to take charge of the litigation work, to conduct negotiations relative to litigated matters; I have charge of the bankruptcy work in the office——

Mr. JOHNSON (interposing). Yes; I have not asked you what you had charge of.

Mr. MENKEN. I want to to tell you why. I will give you a fair answer to your question. And I do not personally, as a normal matter, have charge of these company affairs in the office, or attend to them. My other partners do that entirely, so that if I should make a statement to you about the clients that came to us in connection with particular matters, it would not be either scientific or correct, or the kind of a statement that I want to give o a committee of this dignity. So I offer to furnish you a list.

Mr. JOHNSON. Well, we will let that go for the present, expecting the list.

Mr. MENKEN. You are welcome to it, sir.

Mr. JOHNSON. Now, is there any other sugar interest that your firm represents?

Mr MENKEN. No.

Mr. JOHNSON. You mentioned some steel concern. What was that?

Mr. MENKEN. The Penn-Marine Steel Co. That is a Pennsylvania concern. My partner, Mr. Clark, acts for it.

Mr. JOHNSON. What is it and where is it?

Mr. MENKEN. I don't know its location—somewhere near Philadelphia. I think they make castings.

Mr. JOHNSON. What kind of castings?

Mr. MENKEN. Really, I don't know. I have never been in their plant.

Mr JOHNSON. You have no remote idea as to what character of castings they make?

Mr. MENKEN. No, sir.

Mr. JOHNSON. Do you know for whom they have recently been making these castings?

Mr. MENKEN. No, sir.

Mr. JOHNSON. Who can give us that information without going to the concern itself?

Mr. MENKEN. I think I can get that information, if you want it.

Mr. JOHNSON. You will do that?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Mr. Menken, please tell the committee, to the fullest extent that you may be able, as to when the National Security League was first conceived, when and by whom?

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Mr. MENKEN. It was conceived by me.

Mr. JOHNSON. Now just go ahead in your own way and begin right at the very beginning and tell us every step that was taken, in so far as you are able.

Mr. MENKEN. It was conceived by me as I sat in the House of Commons, about August 5——

Mr. JOHNSON (interposing). You mean in England?

Mr. MENKEN. In England. And I heard Mr. Asquith, Mr. Bonar Law, Mr. Gilbert Parsons, and others explain in support of a motion for an appropriation of $100,000,000, the needs of England and its unpreparedness to meet the issues. And then and there I realized America's condition of unpreparedness and the possibility of America getting into this war.

Mr. REAVIS. Will you give that date, please?

Mr. MENKEN. August 5, 1914. I was in Paris, came through the mobilization of July 29, and came back to England and served on an American committee with Mr. Hoover and others that took care of about 80,000 or 90,000 refugees. During that time I stayed in London, published a newspaper, came back, and my attention was drawn to the utterances of the Hon. Augustus P. Gardner, in the House of Representatives, and particularly his utterances of October 15, in which he admitted that he had been craven and a coward, sitting quiet while he heard fellow members of the House of Representatives proclaim the power of this country to defend itself—and I want to say that was in support of House resolution No. 372—when he knew that the country was absolutely unprepared for defense. I read his speech very carefully and made some inquiries about Congressman Gardner when I heard his statement of facts, which I have here, to find out whether he was the type of man whose statement could be relied upon, and I got such statements about him that I made up my mind, as I followed him for a few days or a few weeks, to write to him; and I wrote to him and told him that I had been for a long time centering attention on the subject, and that I felt that with the public temper and with the record of Congress of utter incapacity in connection with military and naval affairs for a generation, that it was hopeless for him to try to make any impress upon his fellow Congressmen whatsoever, unless he had the force of public opinion behind him, which would give to Congressmen consciousness that they must obey the voice of the people, and that voice must be certain. I told him that in a letter, and he wrote to me that he would like to see me, and we talked it over.

He was very spirited in his defense of the high character of work done by many Congressmen, and very convincing. He told me things that no one could fail to appreciate about the character of the committee work done by Congress, and at the same time he recognized my indictment of the difficulty of getting preparedness measures through Congress in view of the various personal, political, and national interests that Congressmen had to deal with. I told him we had to form a national organization that would bring this thing home to the people and make the people speak to the Congressmen, and that he would never get anywhere if he did not do it. He informed me he would support me in that movement, and that I could count upon his voice and pen in any way I saw fit, if I formed such an organization. Then I went to work and talked to men——

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Mr. JOHNSON (interposing). To whom?

Mr. MENKEN. Whom I knew to be public spirited, of the type of Col. Lydecker.

Mr. JOHNSON. You first talked with Mr. Lydecker? Had you talked with anybody relative to the formation of this league before you talked with Representative Gardner?

Mr. MENKEN. I think I talked with Herbert Barry, who is an old friend and a lawyer of recognized standing here, about the first. I than talked——

Mr. JOHNSON (interposing). What is his address, if you know?

Mr. MENKEN. He is in the Army now—Capt. Barry. He is in one of the southern camps according to the last report.

Mr. JOHNSON. You say he is an old man?

Mr. MENKEN. No, sir; he is not an old man. He is a man, I presume—unless I am an old man—he is about 47 or 48.

Mr. REAVIS. He is young. That is my age.

Mr. MENKEN. I feel so now. I used to think that was old.

Mr. JOHNSON. In what capacity is he in the Army?

Mr. MENKEN. I really couldn't tell you. Almost all of our men have gone into the Army that started this movement.

Mr. JOHNSON. You do not know what he is doing in the Army?

Mr. MENKEN. I couldn't tell you. I can call up his office and find out, if you want to.

Mr. JOHNSON. You spoke of him so familiarly that I took it for granted you knew.

Mr. MENKEN. I haven't seen him for a year. Then I spoke to George Haven Putnam, the publisher, who had been a leader in great public movements that I know of for the public good in New York City ever since I was a child.

Mr. JOHNSON. What does he publish?

Mr. MENKEN. He is the publisher—well, his firm is noted particularly because they brought out Mr. Irving's books. That is where they made their reputation. Washington Irving was the great author that they first introduced to the American public, I believe, and they have a general literary-production plant of great worth. They are very well known. Then I spoke to a friend and client of mine, Col. Franklin Q. Brown. When I spoke to Col. Lydecker he naturally suggested him on account of his being a recognized figure in military life in New York City among the militiamen.

Mr. JOHNSON. Where is he?

Mr. MENKEN. Col. Lydecker?

Mr. JOHNSON. No; Mr. Brown.

Mr. MENKEN. Col. Brown? He is at No. 31 Pine Street, and is the senior partner of the banking house of Redmond & Co. He is at present acting under Mr. McAdoo as one of the committee of three in charge of the railroads, and was at one time head of the Plant system in Florida, a man of broad experience. He is also mayor of the city of Irvington, which is one of our prosperous suburbs up the Hudson; a very active, progressive man, that I could count on driving things through.

Mr. JOHNSON. And where did you talk to him about this matter?

Mr. MENKEN. I really could not say. I was in his office repeatedly on professional matters. He is a next-door neighbor, practically, of mine, down town. We are right near each other.

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Mr. JOHNSON. Did you take the matter up with him, or did he take it up with you?

Mr. MENKEN. No; I took it up with him.

Mr. JOHNSON. Well, before we get away from him, what conclusions did you and he arrive at?

Mr. MENKEN. I told him this—I said to these gentlemen, Col. Brown and J. Mayhew Wainwright, that what I wanted—that the thing to do was to let me handle this thing the way I would handle other organization matters. I had had a little experience in getting up organizations; and that if they would allow me to use their names to call a meeting, I would take the laboring oar and do the main part of the work in getting it together, and see whether we couldn't do something to carry out these ideas that were expressed by Col. Gardner; and all I wanted was his permission to use his name and his support if the thing got to going right and took the proper hold with the public. I got his permission, and the result was that a card——

Mr. JOHNSON (interposing). You got his permission to do what?

Mr. MENKEN. To use his name. And I drafted a card, which he signed, calling a meeting.

Mr. JOHNSON. Have you got a copy of that card?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Please give it to the stenographer.

Mr. MENKEN. Well, I can't take it out of the scrapbook. [Reading:]

52 WILLIAM STREET, NEW YORK.

You are invited to attend a meeting to be held on Tuesday, December 1, 1914, at the Hotel Belmont, at 5 o'clock p. m., for the purpose of forming a committee to advocate an inquiry, under congressional authority, as to the condition of our Army and Navy and national defenses, to the end that the people of the United States may know the exact facts relative thereto and form with knowledge an opinion as to what should be the proper national policy.

S. STANWOOD MENKEN.
HERBERT BARRY.
GEORGE HAVEN PUTNAM.
LAWRENCE F. ABBOTT.
J. MAYHEW WAINWRIGHT.
CHARLES E. LYDECKER.
FRANKLIN Q. BROWN.

Reply may be sent to Mr. Menken at above address.

Mr. JOHNSON. To what congressional investigation did you refer in that communication?

Mr. MENKEN. I referred to the congressional investigation under the proposed Congressional Security Commission, provided for in House resolution 372, which was then before the House of Representatives, upon motion of Mr. Gardner.

Mr. JOHNSON. Mr. Gardner introduced the resolution?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Have you got that resolution?

Mr. MENKEN (after examining a book). Shall I read it?

Mr. JOHNSON. No; I don't think it is necessary.

(The witness handed the book to Mr. Harrison.)

Mr. JOHNSON. When did you first confer with any Member of Congress about the resolution just named, or anything similar to it?

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Mr. MENKEN. After it was introduced, I think. I think Congressman Gardner was the first one I talked to about it. I may have talked to Herbert Parsons, if he was in Congress at that time, about it.

Mr. JOHNSON. Do you know by whom it was drafted?

Mr. MENKEN. I do not. It is Col. Gardner's resolution; and, I think, he could draft anything on earth he wanted to himself.

Mr. JOHNSON. Yes; I am not questioning that at all. I know, as well as you, that he could do it.

Mr. MENKEN. He always spoke of it as his resolution.

Mr. JOHNSON. Sometimes it happens that everybody has assistance in those things.

Mr. MENKEN. I do not know. I can not tell you, except that he always talked of it as his resolution.

Mr. JOHNSON. So, do I understand you to say now that the first man that you saw, looking toward the organization of the Security League, was Mr. Brown, to whom you have just referred?

Mr. MENKEN. I can't remember.

Mr. JOHNSON. But, as well as you remember it, that is correct?

Mr. MENKEN. No; I wouldn't say so.

Mr. JOHNSON. Well, is it incorrect then?

Mr. MENKEN. It is one of that group. I think Mr. Barry was the first one I talked to.

Mr. JOHNSON. Who is Mr. Barry?

Mr. MENKEN. Mr. Herbert Barry, member of a firm of maritime lawyers, now an officer in the United States Army. He is a man about 46 or 47 years of age.

Mr. JOHNSON. Where is he?

Mr. MENKEN. As I said before, I can not tell. The last I heard of him he was down in one of the Carolinas, in the camps.

Mr. JOHNSON. And what is this next law firm that you spoke of?

Mr. MENKEN. Mr. Barry's firm?

Mr. JOHNSON. Yes.

Mr. MENKEN. Mr. Barry's law firm, I think, is Wallace—Judge Wallace's firm—Wallace, Barry & Wainwright, or something like that.

Mr. JOHNSON. Do you know who their principal clients are?

Mr. MENKEN. No, sir.

Mr. JOHNSON. You have no information?

Mr. MENKEN. No, sir.

Mr. JOHNSON. They are maritime lawyers, you say?

Mr. MENKEN. Yes, sir; with a general practice. Mr. Barry does a good deal of counsel work for other lawyers—tries cases for them.

Mr. JOHNSON. When did you talk to Mr. Barry about it—about the organization?

Mr. MENKEN. Oh, within a week or ten days, thereabout, prior to sending out that card.

Mr. JOHNSON. What did he have to say about it?

Mr. MENKEN. He agreed with me that we would have to get an organization, stir up interest here; there was danger of the United States being brought into this war, and we were totally unprepared.

Mr. JOHNSON. You suggested to him that you would undertake the organization?

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Mr. MENKEN. No; Mr. Barry had to do some of the work. He was not in the position of a man like Col. Brown, who was older and a busier man. The arrangement with him was that he was going to do some of the detail work with me if we did this.

Mr. JOHNSON. With whom did you next talk about the organization?

Mr. MENKEN. I do not know. I was talking to everybody about it that I could meet in those days.

Mr. JOHNSON. To whom did you send that notice, calling the meeting?

Mr. MENKEN. Why, I made up a list of about 300 men and women, representatives of all walks of life.

Mr. JOHNSON. Have you got that list?

Mr. MENKEN. No; but that list is in a large part identical with the names of the first people who joined the National Security League, and we can give it to you from our record, which your auditor is going over now.

Mr. JOHNSON. Well, then, if we had the list of those who first joined the National Security League, how would the committe know which ones comprised the 300 to whom you sent the notice?

Mr. MENKEN. I can pick them out pretty largely.

Mr. JOHNSON. Will you make out a list of those to whom you sent that notice?

Mr. MENKEN. No; it is physically impossible. I want to say this——

Mr. JOHNSON (interposing). Can you pick out a number of them?

Mr. MENKEN. Yes; a large number.

Mr. JOHNSON. Will you pick out all that you can and furnish the committee with that list?

Mr. MENKEN. I will try. It is pretty hard.

Mr. JOHNSON. Well, you have said you could do it.

Mr. MENKEN. Yes; I think I can do it.

Mr. JOHNSON. Well, you will do that?

Mr. MENKEN. Yes.

Mr. JOHNSON. When?

Mr. MENKEN. Well, as soon as I am free here.

Mr. JOHNSON. Can you give me the name now of somebody else that you talked to quite early, too, looking toward the organization of the Security League?

Mr. MENKEN (to Mr. Harrison). Senator, can I borrow that book? [Mr. Harrison handed a book to the witness.] Frederic R. Coudert was one.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Mr. Coudert is a lawyer, a friend of mine, who had been one of the soldiers during the Spanish War. I think he was a Rough Rider.

Mr. JOHNSON. Do you know what class of clients he has; what particular interests?

Mr. MENKEN. He happens to represent a great many foreign interests. He is a specialist on maritime law. He has had the honor of representing foreign Governments in controversies.

Mr. JOHNSON. Do you know what Governments?

Mr. MENKEN. I have heard he represents Great Britain, France, and Russia in international matters.

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Mr. JOHNSON. Just there—if you consider it a matter of privilege, and do not want to answer it until after a conference with the committee—do any of your clients hold any Russian bonds?

Mr. MENKEN. Not that I ever heard of.

Mr. JOHNSON. Do you know whether or not any of the gentlemen you have named, or their clients, hold any of them?

Mr. MENKEN. Not that I know of; no. I have tried to better advise them.

Mr. JOHNSON. You have just spoken of this gentleman representing some British clients, or the Government itself. Which is it?

Mr. MENKEN. I think Mr. Coudert is counsel for the British ambassador.

Mr. JOHNSON. And was at the breaking out of the war in 1914?

Mr. MENKEN. I don't know about that.

Mr. JOHNSON. Do you know when his employment as counsel for the British ambassador began?

Mr. MENKEN. I really couldn't say. I know little of his private affairs. Henry L. Stimson was another man I talked to.

Mr. JOHNSON. Do you know whether or not he represents, either directly or indirectly, any other Government, or whether he has or not since the outbreak of the war, any foreign Government?

Mr. MENKEN. Why, Mr. Coudert has a very big international practice. I have heard of him representing South American countries, and French and Russian, and I think perhaps Italian interests.

Mr. JOHNSON. Any others?

Mr. MENKEN. None that I could state with certainty.

Mr. JOHNSON. Well, any other that you could name, but at the same time qualifying with some degree of uncertainty?

Mr. MENKEN. No; I can not guess.

Mr. JOHNSON. Then why did you make the suggestion of certainty or uncertainty?

Mr. MENKEN. You read of his name all the time in connection with international cases. He is a recognized authority in international law, and the type of a man that is apt to be retained by any foreign country having important international questions, and it is rather hard to remember whether it was Mr. Coudert that was on this case and Mr. Garrison on that, or vice versa.

Mr. JOHNSON. Well, who is the next man you named?

Mr. MENKEN. Henry L. Stimson, ex-Secretary of War.

Mr. JOHNSON. He is practicing law?

Mr. MENKEN. He is practicing law.

Mr. JOHNSON. For whom?

Mr. MENKEN. I really don't know.

Mr. JOHNSON. You have no idea?

Mr. MENKEN. I have no idea.

Mr. JOHNSON. When did you talk with him?

Mr. MENKEN. In very early stages of this matter.

Mr. JOHNSON. You submitted your plans to him? That was the principal part of the talk, wasn't it?

Mr. MENKEN. I can't remember. We talked over the general situation.

Mr. JOHNSON. Did he take it up with you, or did you take it up with him?

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Mr. MENKEN. I took it up with him.

Mr. JOHNSON. In each instance, so far as we have gone, you took it up with the party whom you have named, and he did not first take it up with you? Is that correct?

Mr. MENKEN. Exactly. I took this matter up with Gen. Luke E. Wright.

Mr. JOHNSON. Where were you when you took it up with him?

Mr. MENKEN. To the best of my recollection, in my own office. Gen. Luke E. Wright is local counsel for one of these corporations that you have inquired about.

Mr. JOHNSON. Which one?

Mr. MENKEN. The Memphis Street Railway. I guess I forgot to mention that. And he is a frequent visitor to our office, and I took up the situation with him.

Mr. JOHNSON. Have you any other professional connection with Mr. Wright?

Mr. MENKEN. He is our correspondent in Memphis, Tenn. If we have any matters, we send them there.

Mr. JOHNSON. What matters have you had there that you would use him in?

Mr. MENKEN. Why, street railway matters we use him in. Then we have had estate matters there and in Arkansas, and the ordinary small commercial matters that come along into the office we use the general on occasionally.

Mr. JOHNSON. You submitted your plan to him concerning the formation of this league?

Mr. MENKEN. It may have been a couple of weeks later, but I went over the situation with him very thoroughly.

Mr. JOHNSON. But you took it up with him—he did not with you?

Mr. MENKEN. I moved toward him; not he toward me.

Mr. JOHNSON. Well, the next man?

Mr. MENKEN. One of the earliest persons I took this up with was John Purroy Mitchel, mayor of the city of New York.

Mr. JOHNSON. What conversation took place between you and him? He is dead now, is he not?

Mr. MENKEN. He is dead. Mr. Mitchel used to be one of the attorneys in my office, and I went to him and talked over the situation, and asked whether, if we got going, I could count upon his assistance.

Mr. JOHNSON. Was he one of the attorneys in your office at the time of the organization of the National Security League?

Mr. MENKEN. No; prior to that.

Mr. JOHNSON. He had severed his connection because of his mayorship?

Mr. MENKEN. He severed his connection at the time he became commissioner of accounts. He left our office to form a partnership with two other men in our office—Judge Mullen, of the supreme court now, and Judge Cobb. They formed the firm of Mullen, Cobb & Mitchel; and immediately upon forming that firm Mr. Mitchel went on it.

Mr. JOHNSON. Aside from Mr. Mitchel's politics, what was his business?

Mr. MENKEN. He was a lawyer.

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Mr. JOHNSON. Representing what, after the severance of his connection with you?

Mr. MENKEN. I never inquired particularly his clientele. I never heard.

Mr. JOHNSON. You know that he was a lawyer, but you have neither knowledge nor information as to who his clients were?

Mr. MENKEN. No.

Mr. JOHNSON. And you took up this matter with him, and he did not with you?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Go ahead, sir.

Mr. MENKEN. Another man I took it up with was Congressman, now Senator, Calder. Another man was——

Mr. JOHNSON (interposing). Where did you first take it up with him, and when?

Mr. MENKEN. Very early—as soon as we started on this movement.

Mr. JOHNSON. Where?

Mr. MENKEN. I really could not identify the place.

Mr. JOHNSON. You do not recall whether it was at Washington or New York?

Mr. MENKEN. No.

Mr. JOHNSON. You took it up with him and not he with you?

Mr. MENKEN. Yes, sir. G. Creighton Webb was another man—Col. G. Creighton Webb.

Mr. JOHNSON. Who is he?

Mr. MENKEN. He is a gentleman, a retired gentleman; also, I believe, a lawyer.

Mr. JOHNSON. A retired gentleman?

Mr. MENKEN. He is retired; he is not practicing.

Mr. JOHNSON. What is the difference between a gentleman and a retired gentleman?

Mr. MENKEN. Why, one represents an actuality, the other an ambition.

Mr. JOHNSON. Well, what had been his profession or occupation prior to his becoming a retired gentleman?

Mr. MENKEN. I think he has always been a man of means. He practiced law at one time, I believe, but I don't know what his clientele was. I never had any information.

Mr. JOHNSON. And where did you take up this matter with him?

Mr. MENKEN. Somewhere in the city.

Mr. JOHNSON. Did you take it up with him or he with you?

Mr. MENKEN. I took it up with him.

Mr. JOHNSON. How many of these men, now, more than the ones that you have named, was to do more than permit the use of his name?

Mr. MENKEN. Col. Putnam was ready——

Mr. JOHNSON. We haven't gotten him yet, have we?

Mr. MENKEN. Yes; we had him long ago. Mr. Abbott was ready to do his part.

Mr. JOHNSON. Did he?

Mr. MENKEN. Certainly he did.

Mr. JOHNSON. What did he do?

Mr. MENKEN. He has written——

Mr. JOHNSON (interposing). To whom and about what?

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Mr. MENKEN. Mr. Abbott, if I may take the liberty of informing the committee, is editor of the——

Mr. JOHNSON (interposing). This record is not entirely for the committee, you know.

Mr. MENKEN. He is editor of the Outlook, and he has used his pen and voice in urging preparedness many times during the last three and a half years. He has been a wheel horse on our committee work at all times.

Mr. JOHNSON. What does a wheel horse do in your committee?

Mr. MENKEN. The wheel horse does the work.

Mr. JOHNSON. Was he the only worker?

Mr. MENKEN. I said a wheel horse.

Mr. JOHNSON. Well, there are always two. You were the other?

Mr. MENKEN. No; there were a great many others. You must remember, as you find out the unfolding of the Security League, that the organization developed into an organization to which over 100,000 persons contributed the sinews of support financially.

Mr. JOHNSON. Support of what?

Mr. MENKEN. Of the organization?

Mr. JOHNSON. Of the league?

Mr. MENKEN. Of the league, and where in a single month we had as many as a thousand meetings, and where we published, as near as I can approximate——

Mr. JOHNSON (interposing). You attended a thousand meetings in a month?

Mr. MENKEN. I said we had.

Mr. JOHNSON. And by whom were those thousand meetings attended?

Mr MENKEN. By the American people, sir. And where we published——

Mr. JOHNSON (interposing). Are the American people in New York?

Mr. MENKEN. I am thinking particularly about one campaign in Philadelphia where our organization held a thousand meetings in Pennsylvania in 30 days.

Mr. JOHNSON. What kind of meetings were those? You don't mean meetings of the executive committee?

Mr. MENKEN. No; street meetings and public gatherings, and meetings of all kinds.

Mr. JOHNSON. Public speaking?

Mr. MENKEN. Public speaking; yes.

Mr. JOHNSON. And things like that?

Mr. MENKEN. Yes; similar in kind to the political meetings we have.

Mr. JOHNSON. I am trying to get this not only for myself but for those who may read it hereafter.

Mr. MENKEN. Yes; I am very anxious for that.

Mr. JOHNSON. Now with who next did you take it up?

Mr. MENKEN. Another man who was very active in this matter was Col. William C. Church.

Mr. JOHNSON. Who is he?

Mr. MENKEN. He is—unfortunately he died about a year ago. He was an active member of the league and one of the consistent attend-

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ants at our meetings. He was editor of the Army and Navy Journal and an authority on military affairs.

Mr. JOHNSON. Did you take up this matter with him, or did he take it up with you?

Mr. MENKEN. I think I first met Col. Church, as I recollect it, at the Belmont meeting. He came to that meeting.

Mr. JOHNSON. You had sent him a notice?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Then, by sending him a notice, you first took it up with him?

Mr. MENKEN. In that sense.

Mr. JOHNSON. Go ahead.

Mr. MENKEN. Another man who was very much interested was William Frederick Dix.

Mr. JOHNSON. Who is he?

Mr. MENKEN. He is secretary of the Mutual Life Insurance Co.

Another man that was very much interested was——

Mr. JOHNSON (interposing). I take it for granted that you do not know the character of their securities?

Mr. MENKEN. Only from the public records which they make public.

Frederick H. Allen.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Frederick H. Allen is a lawyer, a member of the firm of Allen & Cammann, and has been very prominent in politics. He was chairman of the Democratic Party in Westchester County for a great many years.

Mr. JOHNSON. Do you know the nature of his practice—of his firm?

Mr. MENKEN. No; I could not say.

Mr. JOHNSON. You have no idea?

Mr. MENKEN. No idea. He is a man of independent means. I know that.

Mr. JOHNSON. But still he had a law firm?

Mr. MENKEN. He has had a law firm, and I think he was Democratic national committeeman at one time.

Mr. JOHNSON. Did he take it up with you or did you take it up with him?

Mr. MENKEN. He was one of the men that got this information—that invitation. In that sense I took it up with him. Perhaps Col. Lydecker suggested his name. I could not tell.

Mr. JOHNSON. You are giving the names now of those with whom you took the matter up, and you have given his name. Now, then, in order that there might be no mistake about this, whether you took it up with him or whether he took it up with you, I asked the question, which is really superfluous, as to whether or not he took it up with you, or you took it up with him.

Mr. MENKEN. I think I took it up with him. David H. Miller was another man that I took it up with.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Mr. Miller is a lawyer, a member of Miller & Auchincloss. Mr. Auchincloss is Col. House's son-in-law. They are lawyers with a practice which, as I understand it, is largedly related to the cotton trade.

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Mr. JOHNSON. In what way is it related to the cotton trade?

Mr. MENKEN. Mr. Miller was a member of the Cotton Exchange, studied law at night, and became a lawyer, and he has a great many clients on the Cotton Exchange.

Mr. JOHNSON. They do not handle any cotton, the Cotton Exchange, do they?

Mr. MENKEN. I have never been there.

Mr. JOHNSON. What is your general information on the subject?

Mr. MENKEN. I understand they handle cotton options.

Mr. JOHNSON. It is the place for gambling in cotton and has no real connection with cotton. Isn't that true?

Mr. MENKEN. Why, I understand it has a very real connection with cotton.

Mr. JOHNSON. That it gambles to the extent of fixing the price. That is about it, isn't it?

Mr. MENKEN. Well, I don't want to get into an economic discussion with you on the Cotton Exchange, but I think it is a very necessary and vital factor in our commercial life. I don't doubt that at all.

Mr. HARRISON. We would like to know which one of you know more about that exchange. [Laughter.]

Mr. MENKEN. Do you press the question, sir?

Mr. JOHNSON. Yes; I press it

Mr. MENKEN. Will you read the question, please.

(The reporter read the question as above recorded.)

Mr. MENKEN. I will say I don't believe the Cotton Exchange gambles. I believe the relations with the cotton market are fixed by the economic law of supply and demand.

Mr. JOHNSON. They deal only in options, and not in the real product. That is correct, is it not? You have just said that they dealt in options.

Mr. MENKEN. I think they deal in spot cotton.

Mr. JOHNSON. And what do you mean by "spot cotton"?

Mr. MENKEN. Cotton to be delivered against purchases.

Mr. JOHNSON. Which is never delivered.

Mr. MENKEN. Not having knowledge I can't testify.

Mr. JOHNSON. Lacking the knowledge, have you information?

Mr. MENKEN. Well, as a lawyer, there is very little distinction, Mr. Chairman, between knowledge and information.

Mr. JOHNSON. Then we have confined ourselves, Mr. Menken, almost altogether to the legal fraternity in looking after the welfare of the Nation. Get outside of the legal fraternity now and let us see if the common folks—if you have any knowledge concerning them, or anything to say as to the difference between knowledge and information.

Mr. MENKEN. I recognize no difference, sir. Correct information is knowledge, isn't it, Mr. Chairman?

Mr. JOHNSON. Well, I haven't gone into it. I was asking you to go into it.

Mr. MENKEN. I don't make any distinction between correct information and knowledge.

Mr. JOHNSON. Well, anyhow, we find the Cotton Exchange in this indirect way, to put it at the least, connected with this movement. I mean with the movement of the National Security League.

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Mr. MENKEN. In other words, your question is this: You find that because a former member of the Cotton Exchange, who happened to become a lawyer some years afterwards, became a member of the Security League, the Cotton Exchange is connected with the Security League? I don't see it that way at all, sir. I don't think the Cotton Exchange had any direct or indirect connection, in so far as patriotic men—and I recall one, like Mr. Frank Hubbard, who happened to be a member—saw the country's condition and was willing to contribute to arouse the country to the danger. It had no connection, directly or indirectly, with the Security League.

Mr. JOHNSON. Well, getting along with our list, now, of those with whom you first took it up, please pass to another.

Mr. MENKEN. Well, J. Beaumont Spencer.

Mr. JOHNSON. Who is he?

Mr. MENKEN. An engineer, now, I think; colonel or lieutenant colonel in the Army. He was always interested in military affairs.

Mr. JOHNSON. Where is he located now?

Mr. MENKEN. I think in France.

Mr. JOHNSON. Doing what?

Mr. MENKEN. I can not say.

Another man interested was Francis V. Green, from the beginning.

Mr. JOHNSON. Where did you first take this up with the last-named man, Mr. Spencer?

Mr. MENKEN. I think he came to the original meeting. His father was president of the City Club, Nelson Spencer, and he was interested in it from the beginning also.

Mr. JOHNSON. The Spencer of whom you first spoke came, I suppose, on invitation?

Mr. MENKEN. I think so; yes, sir.

Mr. JOHNSON. Therefore you first took it up with him, and he did not first take it up with you?

Mr. MENKEN. Yes, sir. Gen. Francis Vinton Green.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Mr. Green is a writer on military affairs and international affairs, and also—my Who's Who is pretty thin on some of these men.

Mr. JOHNSON. I have never seen a copy of Who's Who, and I will have to ask you about it—about these men—because I don't know them.

Mr. MENKEN. Gen. Green is one of the big figures in New York City. He served in the Spanish War.

Mr. JOHNSON. What is his business or profession?

Mr. MENKEN. I think he is interested in some of the power companies around Buffalo. That is my impression. I don't know.

Mr. HARRISON. He is interested in the Niagara Falls Power Co., isn't he?

Mr. MENKEN. In one of those companies. I don't know.

Mr. JOHNSON. What kind of a company?

Mr. MENKEN. I don't know. I didn't ask him when he went to join the league, and I have never heard since.

Mr. JOHNSON. Did you take it up with him, or did he take it up with you?

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Mr. MENKEN. My recollection is that Gen. Green came to my office when he heard of this movement, and talked it over and said he thought the matter was so important that he wanted to get in and support it in any way he could.

Mr. JOHNSON. Do you know whether or not he has any Canadian interests?

Mr. MENKEN. No; I know nothing about his private business. I know he was for defense, and that is the only thing that interested me.

Mr. JOHNSON. Go ahead with the next man.

Mr. MENKEN. J. G. White. Mr. J. G. White is an engineer and constructor, doing work all over the world.

Mr. JOHNSON. What character of work?

Mr. MENKEN. He does great harbor construction, railroads, reclamation work. I have heard of his doing work in Spain, South America, and the Far East, and he has a great engineering business.

Mr. JOHNSON. Where is his residence?

Mr. MENKEN. Somewhere around Park Avenue, New York City.

Mr. JOHNSON. How did he hear of the work? Did you take it up with him?

Mr. MENKEN. J. G. White is one of the big public-spirited men in New York, and naturally he would get an invitation in any movement of this kind, and I think he came to the meeting.

Mr. JOHNSON. So in that way you took it up with him?

Mr. MENKEN. Either I or my fellow committeemen. There were seven of use here, you know, sending out invitations, and they all did their part in that sense, everyone of them, Mr. Lydecker, Mr. Putnam, and everyone—Mr. Barry, Mr. Wainwright, all sent invitations to men that they thought could help.

Mr. JOHNSON. Who is the next man with whom you took it up?

Mr. MENKEN. Frederick L. Huidekoper——

Mr. JOHNSON. Who is he?

Mr. MENKEN. Frederick Huidekoper is the author of Military Policy of the United States. He is a resident of our Capital City of Washington. He is a man who has written a great deal. He lives on Eighteenth Street, there in Washington.

Mr. JOHNSON. What did you say his business is, or profession?

Mr. MENKEN. Mr. Huidekoper is a writer. He is an authority on certain of Napoleon's campaigns, and he is author of Military Policy of the United States, and I rather think that Col. Gardner suggested to me that if I took this matter up, that Huidekoper was a man whose guidance and authority would be valuable to us.

Mr. JOHNSON. I was hoping that you before this time would have come to some of the officers of the association with whom you first took up this matter. Not having come to any of them yet, will you divert from the list that you have before you and come to some of the officers?

Mr. MENKEN. Well, I have unconsciously. Mr. E. H. Clark.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Mr. Clark is a man interested in financial and mining matters. He was a friend of Col. Franklin Q. Brown.

Mr. JOHNSON. Where are his mining interests?

Mr. MENKEN. I don't know. I have never heard.

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Mr. JOHNSON. Have you ever heard whether or not they are in Mexico?

Mr. MENKEN. No; I never heard definitely.

Mr. JOHNSON. You have heard a rumor of that kind?

Mr. MENKEN. I will say this, that Mr. Clark is a personal representative, according to what I understand, in many matters, of Mrs. Phoebe Hearst, and he was a friend of Col. Franklin Q. Brown's.

Mr. JOHNSON. Who is Mrs. Hearst?

Mr. MENKEN. Mrs. Hearst is the wife of Senator Hearst—widow, rather.

Mr. JOHNSON. Go ahead with the next.

Mr. MENKEN. I think that is the most complimentary I can say.

Now, about the officers, when the league was formed——

Mr. JOHNSON (interposing). Now, before you get to the formation of the league—before you get to the meeting at which the league was definitely, firmly formed, or tentatively so, to what persons did you go who afterwards became officers in the association, in the league? I don't desire to suggest any names; I am asking you to give the names. Look at one of your letterheads and take up some of your officers.

Mr. MENKEN. I have got a list. One or the other of us went to—Mr. Choate was approached.

Mr. JOHNSON. We know who Mr. Choate is, but for the record state.

Mr. MENKEN. Mr. Joseph H. Choate, first citizen of New York, ambassador to Great Britain, leader of the bar of New York, prime mover in every great civic movement for the betterment of the country.

Mr. JOHNSON. Who went to him?

Mr. MENKEN. Gen. Green.

Mr. JOHNSON. You didn't go to him?

Mr. MENKEN. I suggested his name, and I think he and I went together to see him—or perhaps the general arranged it that I should go.

Mr. JOHNSON. What did you say to him?

Mr. MENKEN. I don't remember. I simply stated the case.

Mr. JOHNSON. You can give at least a rough outline of the talk that you gave him, can you not?

Mr. MENKEN. I can give an outline of the talk that I gave to all these men.

Mr. JOHNSON. He has been a financial contributor to the concern, has he not?

Mr. MENKEN. Mr. Choate?

Mr. JOHNSON. Yes.

Mr. MENKEN. Mr. Choate was very generous to the league.

Mr. JOHNSON. Well, now, he had some reason for going into it, giving his name and also his money for the furtherance of it, and I take it for granted that was done upon the representations that you made to him upon your visit to ask him into the league?

Mr. MENKEN. Why, Mr. Choate was a very experienced man, and I did not have to state very much of the case to him, because he knew the conditions of this country, and when he was invited to come into the league there was no suggestion of any pecuniary contribution

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whatsoever from Mr. Choate. I wanted the benefit of his prestige and his name, because while I had certain experience——

Mr. JOHNSON (interposing). Your principal purpose upon the first visit to him was to get the use of his name?

Mr. MENKEN. And the prestige of his influence.

Mr. JOHNSON. Well, that went with the use of his name.

Mr. MENKEN. And I went to him, and I stated the case and told him what we proposed doing. I told him how we proposed to do it.

Mr. JOHNSON. What did you tell him you proposed to do?

Mr. MENKEN. I told him I proposed, if I had the power, to awaken the American people from their sleep; to arouse the country from the Pacific to the Atlantic, from Maine to Texas, so that they would not allow Congress——

Mr. JOHNSON (interposing). So far the whole country——

Mr. WALSH (interposing). I think he ought to be permitted to finish his answer.

Mr. MENKEN. I am not going——

Mr. JOHNSON (interposing). The witness and I will conduct that, and when you have the witness I will let you alone, but in the meantime I want to be let alone.

Mr. WALSH. You are so very careful about the record, I should think you would want the answer complete.

Mr. JOHNSON. Well, now——

Mr. MENKEN (interposing). I am going to answer the question, if you please.

Mr. JOHNSON. I want you to answer the question, and I don't want any interference about it between you and me, either.

Mr. MENKEN. Will you please read me the question?

(The reporter read the question as follows:)

Mr. JOHNSON. What did you tell him you proposed to do?

Mr. MENKEN. So that it would be impossible for Congress to ignore further the demand of our military advisers for proper preparedness. I told him I had the support, with the aid of my fellow committeemen and other organizers of the league, of groups of men throughout the country, whose position, whose disinterestedness, and whose patriotism was a guaranty of their purpose being a worthy one, and that we were prepared to organize a national movement which would drive home the fact and make it impossible for Congress to continue to waste, as they had done, vast millions for political and personal purposes, or to ignore the demand of the men of the Navy Board and the heads of our Army for the proper protection of this country; and that I was prepared to do this work with the aid that we expected to get in a systematic, scientific way, investigating the fact and making temperate statements that would carry, because of their very temperateness, conviction to the American people.

When I stated this to Mr. Choate he immediately agreed to join and give his full strength to the movement, and we only had one condition or understanding between us, and that was that in this work he should be advised of any digressions or variations of purpose from time to time, so that he should pass up them and understand what was going forward. And he worked with us from the organization of the league to the day of his death, speaking and raising the cry

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almost with his dying breath to Congress "For God's sake, hurry up," which was spread throughout the country.

Mr. JOHNSON. Who did that?

Mr. MENKEN. Mr. Joseph H. Choate.

Mr. REAVIS. Mr. Chairman, may I interrupt there for a moment?

Mr. JOHNSON (after conferring with the committee). If there is no objection on the part of anybody interested, for to-day and future days we will adjourn at 1 o'clock and meet at 2 in the afternoon. Now, you have concluded with your statement?

Mr. MENKEN. In a general way; yes, sir.

Mr. JOHNSON. The question that I was about to put to you when I was interrupted was that judging from the looks of the names given by you, with whom the formation of the league was first taken up, New York was to first awaken the sleeping Nation.

Mr. MENKEN. No, sir; that was not true. I happened to be a New Yorker and had the limitation of my own personal acquaintance, which, perhaps, is reflected by so many lawyers being talked to by me, but we knew that any movement of this kind must have the support of the entire Nation. As you will find when you inquire into our subsequent activities, we organized from coast to coast. We knew it was just as important to get great meetings that we held subsequently in California, Nashville, or Chicago, as it was in New York—in fact, more so.

Mr. JOHNSON. Yes, and the country was awakened, you think, fully?

Mr. MENKEN. What was awakened to what?

Mr. JOHNSON. You think the country was fully awakened by the activities of this league?

Mr. MENKEN. Aided by the Kaiser and the activities and the conditions of affairs in Europe; and also the gradual dawning of light on some officials in Washington.

Mr. JOHNSON. You spoke of the Nation being asleep, and that was the reason why you formed this league?

Mr. MENKEN. Yes; it was asleep.

Mr. JOHNSON. Well, then, the first step towards arousing the Nation from that sleep was taken by New York lawyers representing corporations?

Mr. MENKEN. I don't know whether they took this step representing corporations. You know corporations are legal in New York.

Mr. JOHNSON. Are they illegal anywhere?

Mr. MENKEN. I don't know. We have about a million of them here. But we didn't take it representing corporations; we took it as loyal citizens trying to do our part toward our country, under conditions which we thought were extremely dangerous, and under a vision which has proven correct in every particular.

Mr. JOHNSON. A little while back in your testimony you spoke of having been over to England and France. If your business there was of such a nature that you can not disclose it, I will not ask you about it. but if it was not of a confidential nature, may I ask what it was about?

Mr. MENKEN. Yes; I went over there to adjust certain claims of a certain client in connection with an important bankruptcy matter.

Mr. JOHNSON. Do you object to stating the name of the client?

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Mr. MENKEN. I do.
Mr. JOHNSON. How much family have you, Mr. Menken?
Mr. MENKEN. One boy and my wife.
Mr. JOHNSON. How old is the boy?
Mr. MENKEN. Fifteen.
Mr. JOHNSON. Who was your wife?
Mr. MENKEN. The lady there [indicating].
Mr. JOHNSON. What was her name, her maiden name?
Mr. MENKEN. Gretchen von Briesen.
Mr. JOHNSON. Who was her father?
Mr. MENKEN. Arthur von Briesen.
Mr. JOHNSON. Where did he live?
Mr. MENKEN. One hundred and sixty West Fifty-ninth Street.
Mr. JOHNSON. Where was he born?
Mr. MENKEN. I believe he was born somewhere in Prussia.
Mr. JOHNSON. Do you know how long he has been in this country?
Mr. MENKEN. Ever since he was a boy of 8 or 9. He served in the Civil War as a junior officer.
Mr. JOHNSON. What is his occupation?
Mr. MENKEN. He has had two occupations in life, one as a patent lawyer and, secondly, as the founder and active leader, for charity only, without compensation, of the Legal Aid Society, which, I understand, has handled approximately a million cases for poor people free of charge in New York City and the surrounding country.
Mr. JOHNSON. Has he made any public speeches in the last three years?
Mr. MENKEN. I never heard of any of them.
Mr. JOHNSON. Has he done any writing for the public?
Mr. MENKEN. I never heard of it.
Mr. JOHNSON. Do you know the date when Capt. Boy-Ed sailed from this country?
Mr. MENKEN. I do not.
Mr. JOHNSON. Do you know when Von Papen sailed?
Mr. MENKEN. No, sir. I know it was too late in both cases.
Mr. JOHNSON. Were any of your family acquainted with either of them?
Mr. MENKEN. Not to my knowledge or belief, sir.
Mr. JOHNSON. Do you know whether or not any member of your family was at the pier when either of them sailed?
Mr. MENKEN. No; I know they were not. They wouldn't have anything to do with the crew.
Mr. JOHNSON. In the way of explanation, I want to say to you, Mr. Menken, that I have been requested in writing to ask you those questions.
Mr. MENKEN. I know; I hope you have got some more of them. I would take pleasure in answering them.
Mr. JOHNSON. I would ask them if I had more of them. Are you a member of any other league at all, similar in character to this?
Mr. MENKEN. I believe I am a member of the Navy League—or I was. I think I belong to the American Rights League. I think I once joined the American Defense Society.
Mr. JOHNSON. Were you an officer in that?
Mr. MENKEN. No.

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Mr. JOHNSON. At what time did you become president of National curity League?
Mr. MENKEN. Upon its formation.
Mr. JOHNSON. How long did you serve as such?
Mr. MENKEN. I served for about a year.
Mr. JOHNSON. Down at Washington the other day we had that tter up, you recall, and you said to Col. Lydecker that when you ie to testify you would explain why you ceased to be president of league. Will you do so now?
Mr. MENKEN. Why, yes. I ceased to be president because of the t that I found—just let me start over again. May I preface there mark or two?
Mr. JOHNSON. Suit yourself. Make your own statement.
Mr. MENKEN. I want the record for these other people that you er to.
n the course of the work of the league we came to the conclusion t many of the ills the country suffered from were due not to any k of patriotism on the part of the country, but lack of knowledge the part of the people, and that that lack of knowledge was attrib- ble to a lack of understanding on the part of the teaching force he country. I had organized—carrying out that idea that knowl- e by the people meant safety for the Republic—I had organized ampaign for patriotic education; held a large meeting up at Chau- qua, a conference of educators and organizers' committee. The ng grew and, although it was very difficult with the many demands the public to get the money, I was able to get this thing started th the assistance of the other members of the executive committee. ay myself. I always want to include very broadly all my asso- tes. We had started this thing going and we had organized a plan teach about 150,000 or 200,000 teachers throughout the country in e fundamentals of those American ideas which we felt that they uld best consider. We were not dictating to them, but what they ould consider in teaching to their pupils. We had this thing in ll swing and going very splendidly when one day I was at a arity affair here in the Palace and I met Mr. William Randolph earst. Mr. Hearst from the very beginning of the league had been proached by me, as I approached every editor in New York City ithout any particularity, and asked whether if we started on this mpaign, whether we could count on publicity in his paper, because, ter all, publicity is life for any public movement, and he promised e could have publicity from him.
Mr. Hearst complained to me personally that the league had been tacking him, saying that he was opposed to preparedness, and anted to know whether I thought, considering the way the league ad used his publications, the way he put it at the disposal of ie league—his cartoonists—whether it was quite fair. Well, I new the public agitation against Mr. Hearst. I knew the menace f much of the material he printed, and I differed bitterly with him i his approach to almost every public question. But nevertheless e put the question to me, was it fair, and I said "No; I don't think is fair." And he said, "Well, are you man enough to put that writing?" Well, I am always willing to put in writing anything m willing to say, and I put it in writing and made, as I thought, mple statement of the fact. I have got several of them.

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Mr. HARRISON. I think it ought to go into the record.

Mr. JOHNSON. Mr. Menken, at the conclusion of your testimony, whenever that may come, will you be good enough just to insert those in the record?

Mr. MENKEN. Yes; I will be very glad to give you a copy. I have got an extra one in my office.

Mr. JOHNSON. Have it here in time to have it at the conclusion of your testimony.

Mr. MENKEN. I will. I made a statement—I want to say this, that when Mr. Hearst's energetic newspaperman came to my house it was early in the morning. I was not out of bed yet, although I ought to have been, because I had an appointment. I dashed off a statement—I wouldn't give him an oral statement—and at the foot of it I said something to the effect that it was not so much the question of Mr. Hearst's patriotism as his method of approach to public questions—or I think the language was any question of his patriotism was a matter of approach. He immediately took that as a certificate of character from the president of the Security League, and placarded his chain of papers with it throughout the land. The result was that when the thing was published—Mr. West, I think there is one in my bag there.

Mr. WEST. I have one in the office, Mr. Menken. I did not bring it over.

Mr. JOHNSON. I wanted it just at the present, in order that Mr. Harrison might be reading it. That is all.

Mr. MENKEN. When the thing was published one or two of our members especially took the position that that was a terrible thing—that I had indorsed Mr. Hearst. Well, I said there was nothing further——

Mr. JOHNSON (interposing). Who was that member?

Mr. MENKEN. Well, the first person I heard from about it was the director of our educational movement.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Robert N. McElroy. He took the position that I had indorsed Mr. Hearst, and indorsing Mr. Hearst would destroy the value of his educational campaign, in which he had lined up, I don't know whether it was 100 or 150 professors, comprising some of the greatest minds in the country. I had a great list of professors, who were ready to go out and lecture, and he said he feared that if the league was identified with Mr. Hearst that it would mean a damage to this educational campaign. He was very insistent in that view, and there was a man that we had over there in a subordinate capacity, a Dr. Preston, he took the same view. Personally I took the attitude that this Hearst article would be about a three days' wonder, and if anybody had had any practical experience in public affairs, they would know that the thing would last a minute, be a flash in the pan, and did not amount to anything. But, as I talked, the situation developed where I was put up against a proposition of whether Mr. McElroy, whom I had brought into the league, would retire with his group of professors, and thereby endanger that work, which was really our life objective—the development of this patriotic education throughout the country—whether I should endanger that work or whether I should, being in a position which was defined by one of

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my friends of having a cabinet that differed with me, retire for the time being or not.

I decided that, while my retirement might be misunderstood, that it would be better for me to bow to even the ill-advised views of the temperamental gentlemen who thought they were affected seriously by this one article, which they ought to have known was merely the result of a desire for fair play, than to fight, and, while fighting, endanger this big and noble work that the league was doing. So, stating my position very clearly in letters which were published fully in the press at the time, I made up my mind that the only thing to do was to hang to the work and let personality go, and I retired, retaining the position of a member of the executive committee, and head of the Manhattan branch of the league, which had about 20,000 members.

Mr. JOHNSON. That is the complete history of it?

Mr. MENKEN. That is the general outline; yes, sir.

Mr. JOHNSON. Will you not now take up the name of another one of the officers of the league and tell when you first interviewed him upon the subject of forming the league?

Mr. MENKEN. One of the early men was J. Bernard Walker.

Mr. JOHNSON. Who is he?

Mr. MENKEN. J. Bernard Walker is the editor of the Scientific American, an authority on naval affairs.

Mr. JOHNSON. Did you communicate with him orally or by letter?

Mr. MENKEN. I don't know. I can't remember.

Mr. JOHNSON. But it is safe to say that you first took it up with him, instead of his taking it up with you?

Mr. MENKEN. I think he came to the first meeting.

Mr. JOHNSON. On invitation?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Getting back, just a moment, to Mr. Hearst, you have spoken of an interview with him before the question arose as to whether or not you should continue as president of the league. Did you have any conversation with him relative to this subject, where the controversy as to your continuing as president was going on, or afterwards, after you ceased to be president?

Mr. MENKEN. No, sir; Mr. Hearst's misuse of my interview ended all conversation between us.

Mr. JOHNSON. Well, now, go ahead upon the matter you were on when I put in that interruption.

Mr. MENKEN. I was talking about Mr. J. Bernard Walker, Mr. Chairman.

Mr. JOHNSON. Well, I thought we had concluded with him. He is the Scientific American editor?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Now, who is your next man under your officers? What is his official position in the league?

Mr. MENKEN. He was chairman of the Navy Committee for many years. Another man we worked with very assiduously was Mr. Herbert Satterlee, ex-Assistant Secretary of the Navy.

Mr. JOHNSON. What was his business?

Mr. MENKEN. He is a lawyer.

Mr. JOHNSON. Representing whom, or do you know?

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Mr. MENKEN. He has a general practice in the city of New York. I don't know whom he represents.

Mr. JOHNSON. You have never heard of any of his clients?

Mr. MENKEN. No, not his clients; no, sir. I have come in contact with his office repeatedly, but I don't remember the names of the clients or people I came in contact with.

Mr. JOHNSON. Who is the next man? Name another officer.

Mr. MENKEN. Capt. Matthew E. Hanna.

Mr. JOHNSON. You are now naming the principal officers, are you?

Mr. MENKEN. You are asking about officers?

Mr. JOHNSON. Yes.

Mr. MENKEN. Well, the principal officers of the league from the beginning were Mr. Choate, Mr. Parker——

Mr. JOHNSON (interposing). What was Mr. Choate's first official position?

Mr. MENKEN. Honorary president. Mr. Alton B. Parker, honorary vice president.

Mr. JOHNSON. Well, who is Mr. Parker?

Mr. MENKEN. Mr. Parker is an ex-chief justice of the Court of Appeals, ex-candidate for the presidency of the United States, and a practicing lawyer.

Mr. JOHNSON. An attorney at law in New York City?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Do you know the character, the nature of the biggest part of his practice?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Tell us something about it.

Mr. MENKEN. It is urging appeals and causes as counsel for other lawyers.

Mr. JOHNSON. Do you recall any case that he has argued as such?

Mr. MENKEN. Well, he argued a case for me once.

Mr. JOHNSON. What was that?

Mr. MENKEN. Brown *v.* Schiff. I think it was Brown—Hall *v.* Schiff.

Mr. JOHNSON. What was the controversy about?

Mr. MENKEN. The controversy was a matter of real estate commissions. He won the case on argument.

Mr. JOHNSON. Can you recall some other case, if not for your firm for some other?

Mr. MENKEN. No; I can not.

Mr. JOHNSON. You never have heard of his being intimate with but one case?

Mr. MENKEN. I always hear of him all the time in court, but I don't pay any attention to the personalities or particulars.

Mr. JOHNSON. Well, to the extent that you have heard of his practice, is it corporation practice?

Mr. MENKEN. I don't think so. He takes the ordinary run of the law like the rest of us do. We all try to be corporation lawyers when we can; every lawyer does.

Mr. JOHNSON. Do you mean to say that his practice is greater among private individuals than among corporations?

Mr. MENKEN. His practice is more akin to the practice of an English barrister than a solicitor. Most lawyers are solicitors doing a

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practice among clients; he does business among lawyers mostly. He doesn't have private clients very much.

Mr. JOHNSON. What I was trying to get at was whether he was principally representing corporations or private persons.

Mr. MENKEN. I don't know. The fact would not make any impresson my mind one way or the other.

Mr. JOHNSON. Where did you first confer with Mr. Parker?

Mr. MENKEN. I think that was Gen. Green's suggestion to. Gen. Green said this movement——

Mr. JOHNSON (interposing). Where did you first confer with him about it?

Mr. MENKEN. I think in his office, 111 Broadway.

Mr. JOHNSON. What was he to do?

Mr. MENKEN. He was to help us by speaking and advising with us, and adding the weight of his influence in every way he could.

Mr. JOHNSON. The most help you expected from him was the use of his name, was it not?

Mr. MENKEN. And his voice. The same way with Mr. Choate. We had a big contract on our hands, and we were getting Mr. Choate and Mr. Parker to weight the proposition, so that the public would pay attention to it.

Mr. JOHNSON. What has Mr. Parker done in furthering the interests of the league?

Mr. MENKEN. Mr. Parker has spoken. He has spoken in California; he has spoken in New York; he presided at meetings, attended meetings.

Mr. JOHNSON. Attended what kind of meetings?

Mr. MENKEN. He has been at the executive committee meetings occasionally.

Mr. JOHNSON. How often?

Mr. MENKEN. He has not been so officious for us——

Mr. JOHNSON (interposing). How often has he been at executive committee meetings?

Mr. MENKEN. I don't know. I don't recollect, and I don't expect they could recollect.

Mr. JOHNSON. Why don't you expect them to recollect?

Mr. MENKEN. At first he was an honorary member.

Mr. JOHNSON. Have you construed him strictly as an honorary member?

Mr. MENKEN. Except he was subject to draft to speak any time; he was free to go to any place he could go to, and he went. The same way with Mr. Choate. He would come at morning, noon, and night to work. He would come to my house at half past 8 in the morning and stay till 11 o'clock at night, and during the winter before he died he would wake me up sometimes on the telephone to ask me to come down and go over this work with him.

Mr. JOHNSON. What was his age then?

Mr. MENKEN. I think it was 83.

Mr. JOHNSON. He was born in 1832, wasn't he?

Mr. MENKEN. I have neither the information nor knowledge sufficient to form a belief.

Mr. JOHNSON. Name some others of your officers.

Mr. MENKEN. Herbert Barry. I have given you him. Myself, president; Mr. Clark; Henry L. West, executive secretary.

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Mr. JOHNSON. We will pass him for the present.

Mr. MENKEN. E. Woodward Duke, assistant secretary. He was an employee.

Mr. JOHNSON. Any other honorary officers besides Mr. Parker?

Mr. MENKEN. Well, we have national committeemen.

Mr. JOHNSON. Any other national honorary officers?

Mr. MENKEN. This national committee were an honorary committee. Shall I give it to you?

Mr. JOHNSON. How lengthy is it?

Mr. MENKEN. About 30 names.

Mr. JOHNSON. Do you have any other honorary presidents or vice presidents besides Mr. Choate and Mr. Root?

Mr. MENKEN. Mr. Choate and Mr. Root are the only two honorary presidents we have had. We have only had one honorary vice president.

Mr. JOHNSON. Who is Mr. Root?

Mr. MENKEN. Mr. Root is ex-Senator of the State of New York, leader of the bar of the city of New York, and I don't know that I need to say any more. He is the head and front for every good and great movement in New York City for the public benefit.

Mr. JOHNSON. It is possible that some people will read this record who will not know just as much about Senator Root as you and I do, and therefore it is well, I think, that you state just who is.

Mr. MENKEN. Well, sir, Mr. Root is ex-Senator, ex-ambassador—no; I don't think he has been an ambassador—leader of the bar of New York City, ex-president of the American Bar Association, ex-president of the Bar Association of the City of New York, ex-Secretary of State—in fact, Mr. Root is an institution more than a citizen—and chairman of the constitutional convention of the State of New York.

Mr. JOHNSON. He wrote the tentative constitution of the State of New York, did he not?

Mr. MENKEN. I think not. He presided at a constitutional convention consisting of several hundred delegates.

Mr. JOHNSON. You never heard that he prepared—made the draft of the constitution?

Mr. MENKEN. No; I did not know that he did.

Mr. JOHNSON. Who first took it up with him about his becoming an honorary president?

Mr. MENKEN. Mr. Lloyd Tailer, one of the executive committee, was the first person to suggest Mr. Root's name.

Mr. JOHNSON. It was his name you wanted more than anything else?

Mr. MENKEN. No; we wanted his advice and wisdom, and that was the sense of our executive committee, and also his experience in connection with war matters and his experience in connection with handling committees of Congress.

Mr. JOHNSON. You spoke a few minutes ago of Congress wasting money for their personal purposes. What did you mean by that?

Mr. MENKEN. Excuse me, sir. May I get a paper? [After consulting a magazine.] I mean this, sir, that Congress had repeatedly ignored the recommendation—I don't want to place it on any one administration—of the Naval Board and the heads of our Army. They had failed——

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Mr. JOHNSON (interposing). Now, then, when they failed to heed the advice of those whom you have just mentioned, wherein did they waste money for their own personal purposes?

Mr. MENKEN. Why, they wasted the money for their own personal purposes by logrolling, by misappropriation of public funds.

Mr. JOHNSON. What do you mean by "logrolling"?

Mr. MENKEN. By appropriating money for use in districts where the votes were thickest.

Mr. JOHNSON. Where the votes were thick? Where what?

Mr. MENKEN. Thickest. I will specify. The thing is very ably set forth in an article from Everybody's Magazine, called "Set the Eagle Free," published in November, 1915, showing how the strength of the United States is wasted to the tune of $100,000,000 a year by the Congress by the establishment of useless Army posts all over the country; by the distribution of the Army force in 25 or 30 communities, instead of having it concentrated in a scientific way; by misappropriation——

Mr. JOHNSON (interposing). You made a statement——

Mr. MENKEN (interposing). I will finish my statement——

Mr. JOHNSON (interposing). Let me interrupt you right there.

Mr. MENKEN. I will if you will let me finish my statement.

Mr. JOHNSON. I believe I would rather not——

Mr. MENKEN (interposing). Excuse me; when you ask me a question I am going to give you an answer. It is the only privilege I have got.

Mr. JOHNSON. I am going to insist that I am asking you about personal matters. You made a distinction in your statement a moment ago about Congress wasting the money in one way and then the Members wasting it for their personal uses.

Mr. MENKEN. Yes; personal purposes.

Mr. JOHNSON. Well, I will——

Mr. MENKEN (interposing). Personal purposes, I said, not uses.

Mr. JOHNSON. Now, the distinction between—I want you to bear in mind the distinction between the two and confine your answer to the one about which I am now inquiring—that is, the personal purposes.

Mr. MENKEN. Personal purposes?

Mr. JOHNSON. Yes.

Mr. MENKIN. The appropriation of money for navy yards where they are improperly put, for Army posts where they are improperly put, is always done and has been done for a generation—mind you, I am not personal to any particular Congress.

Mr. JOHNSON. I understand that.

Mr. MENKEN. To the detriment of the United States to the extent of about $100,000,000 a year. The country spent on its Army almost as much as Germany, yet we didn't have a force of one-fifth the size.

Mr. JOHNSON. And is that one reason now why you state in your questionnaire submitted that you are inquiring into the intelligence of those who contemplate being candidates for reelection to Congress?

Mr. MENKIN. That is only one of many reasons. I will be glad to give the others if you want them.

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Mr. JOHNSON. In that particular question, as I recall it, there were only two reasons given, and the intelligence was one of them. But go ahead now with this personal purpose waste of money.

Mr. MENKEN. I consider that the history of the Post Office Department is another evidence of personal purpose.

Mr. JOHNSON. What particular Member of Congress used it for his personal purposes?

Mr. MENKEN. Well, I can't get into personalities. Go to Bar Harbor, the site of the post office up there. It is ridiculous.

Mr. JOHNSON. What Member of Congress used that for his personal purpose?

Mr. MENKEN. Whatever the Congressman was that got that post-office grant up there. It is fit for a city of half a million, in a town of a few thousand.

Mr. JOHNSON. Well, how do you say that is a personal purpose, for the benefit of a personal purpose?

Mr. MENKEN. It adds to his own glorification, repute, and power in the community. He has gotten into the Treasury; he has gotten into the pork; he has gotten some of it for his district. He is a great man in his community and they have returned and re-elected him.

Mr. JOHNSON. Have you ever gone into the question as to whether or not it hurt or helped a Member of Congress to get an appropriation for a public building?

Mr. MENKEN. I don't know, but judging by the way they go after it sometimes I should think some of them have an idea it helps. It is inconceivable why they do it for any other reason.

Mr. JOHNSON. Go ahead with your statement.

Mr. MENKEN. I have answered it. Do you want it detailed?

Mr. JOHNSON. I do not think you have at all answered it.

Mr. MENKEN. Do you want the details?

Mr. JOHNSON. I don't want you to give what somebody else said about it, but you have put yourself into the subject now, and I would like for you yourself to go ahead with him with it.

Mr. MENKEN. I would like to submit a brief of 100 pages on this proposition.

Mr. JOHNSON. Let us cut it short by testifying.

Mr. MENKEN. We found that the navy yards were useless. For instance, take the navy yards——

Mr. JOHNSON (interposing). When you say, "we," who are "we" now?

Mr. MENKEN. Our Navy committee.

Mr. JOHNSON. The Navy committee of the Security League?

Mr. MENKEN. Yes. We found that——

Mr. JOHNSON (interposing). And that, in your judgment, was final?

Mr. MENKEN. Because it was supported by the expert opinion of men who had been Secretaries of the Navy, Assistant Secretaries of the Navy, skillful engineers—men who knew.

Mr. JOHNSON. And the men in charge of affairs at the time, who appeared before the Committee on Appropriations, asking for those appropriations, were all wrong?

Mr. MENKEN. The men, the recommendations——

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Mr. JOHNSON (interposing). According to the National Security League?

Mr. MENKEN. I want to say this: The recommendations of Gen. Witherspoon; the recommendations of Gen. Wood, to whose work our victory may be attributed more than any other one man; the recommendations of Gen. Scott; the recommendations of the Naval Board, were ignored year after year, Congress after Congress, in order that appropriations might be made to suit Congressmen and their own particular viewpoints, as nonexperts, and that they disregarded and repudiated the leaders of our Army and Navy for Congress after Congress. And the record will substantiate that fact. You will find that we had navy yards, like the Charleston Navy Yard, the Mare Island Navy Yard—one after another—had great docks built, floating dry-docks, and so forth, and yet there was not enough water to bring the ships up to the docks. The whole thing—the record is startling. It would scandalize you as much as it did us when we found the fact.

Mr. JOHNSON. When you say "us" you mean the National Security League?

Mr. MENKEN. Yes, sir; and we took pleasure in proclaiming the facts to the public, so they would know, and they did know, and the result proved that Congress did listen.

Mr. JOHNSON. And the officers under the several administrations to which you have referred, having designated no particular one, in taking the advice of those officially in charge of those matters, acted ignorantly and unwisely and wastefully?

Mr. MENKEN. They did not take the advice of those in charge. They ignored it, and it was because advice would not be taken that Secretary Garrison resigned.

Mr. JOHNSON. Well, we are getting into another field now.

Mr. MENKEN. Advice was never taken.

Mr. JOHNSON. But as to why Secretary Garrison resigned, we may get into it later.

Mr. MENKEN. I hope so.

Mr. JOHNSON. But I don't think it comes within the purview of the question, and I asked you to state how Congressmen profited in the way referred to by you.

Mr. MENKEN. If you want me to give you a frank answer about that question——

Mr. JOHNSON (interposing). Yes; I don't want anything else but that.

Mr. MENKEN. I will tell you what I think about the whole situation. I agreed entirely with what Mr. Gardner said when he told me about the noble and self-sacrificing work done by a great many Congressmen, but I take this position—and it is reflected in and dominated my work throughout the league—that the Congress of the United States had never paid proper attention to the heart, the mind, the body of the economic needs of this country, that they have ignored those questions, and that the call for the initiative and referendum, which has had such a hold here, was a reaction against misgovernment and the nongovernment that we were suffering from in this country; and that we have never had scientific government in this country, and that the entire cry of socialism and the entire

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difficulty we are having in maintaining representative, constitutional government in this country is due to the fact that, either because of lack of time or lack of understanding, our Congressmen are not able to give this country the kind of government it needs, especially at a period when we need supermen and have many men in Congress that are under caliber. We certainly need a revolution in the character of Congress if we are going to get reconstruction in this country.

Mr. JOHNSON. Have you anything to suggest as a cure, beyond taking the advice of the National Security League?

Mr. MENKEN Yes, sir; bringing home to the people the slogan of the National Security League, that service by every individual to the cause of the country is the only thing that will safeguard this democracy.

Mr. JOHNSON. Then, in your judgment——

Mr. MENKEN (interposing). We want all the people to safe——

Mr. JOHNSON (interposing). The future safety for the country is through the National Security League?

Mr. MENKEN. The only future safety for the country is through the observance of the fundamental truths which the Security League, with other patriotic organizations, are practicing, and which we are going to bring home, sir, or this country is going to suffer if they are not brought home.

Mr. JOHNSON. To what do you refer? If what is not broken up?

Mr. MENKEN. Is not brought home.

Mr. JOHNSON. To what do you refer? You say if they are not broken up.

Mr. MENKEN. I did not use the words "broken up."

Mr. JOHNSON. I misunderstood you then.

Mr. MENKEN. We can't have government in this country by default, nine citizens out of ten not paying any attention to governmental affairs; nine-tenths of the citizens not paying any attention to elections or political parties except maybe two weeks before election, or one day before nominations. We have got to have Government by all the people in this country if we are going to have a proper Congress and proper legislation, and we feel in the Security League that you who represent the country represent New York just as much as Covington or your State of Kentucky, and we need good Congressmen from New York, and often we are at fault in not sending proper representatives. The blame is not to be placed on any part of the country.

Mr. JOHNSON. We will recess now until 2 o'clock this afternoon.

(Thereupon, at 1 o'clock p. m., the committee recessed.)

AFTER RECESS.

The committee reassembled at 2 o'clock p. m., pursuant to recess.

STATEMENT OF S. STANWOOD MENKEN—Continued.

Mr. JOHNSON. Mr. Menken, I would be glad if you will take up the theme just where you left off before we took a recess for lunch, and go ahead in your own way and treat of it.

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Mr. MENKEN. Well, I was—you have not got my last answer, have you?

Mr. JOHNSON. That stenographer is not here.

Mr. MENKEN. All right. I was simply saying this, that when we got down to whether—firstly, I was referring to the fact that you asked me whether we had other honorary officers, that we had a great many more.

Mr. JOHNSON. Well, I had more particular reference to your arraignment of the Government.

Mr. MENKEN. Well, the primary fault, of course, in the situation, lies in the people themselves, the neglect of politics by the average citizen, the negation or the denial of any recognition of individual political service by the average man; and that fact has resulted in misrepresentations, or rather misrepresentatives being chosen, through control by political bosses, where representatives were needed; and the great problem to-day was to deal with matters requiring supermen, with a Congress which unfortunately consisted, while in some cases of men of the greatest eminence, of many men who were subcaliber; and that has reflected itself in legislation and in the absence of legislation necessary for the common good of the people, and for the economic development of the country and the safeguarding of the country, from an economic and a defense point of view.

Mr. JOHNSON. Do you mind stating in just what part of the country Members of Congress are selected by bosses?

Mr. MENKEN. New York City is one.

Mr. JOHNSON. Any more that you know of?

Mr. MENKEN. Yes.

Mr. JOHNSON. Well, go ahead.

Mr. MENKEN. Every great city in this country is boss ridden, and many of the local communities; and in the South we have the unfortunate position—I am a southerner by birth—through the denial of party conflict, of not having that competition of parties which is essential to the selection of the best men under our democratic principal of organization of government.

Mr. JOHNSON. Well, is there not a lack of party conflict in other places than in the South?

Mr. MENKEN. There is not to the same degree. Unfortunately, it is necessary for almost everybody to be a Democrat in the South, and that has resulted in——

Mr. JOHNSON (interposing). There are places where nearly everybody is Republican, are there not?

Mr. MENKEN. Not to the degree that everybody belongs to one party, in our great Southern States.

Mr. JOHNSON. Go ahead. I will be interested to hear your criticism of lack of government. Go ahead.

Mr. MENKEN. Lack of government. Firstly, we are the only civilized country in the world of any prominence that does not have a secretary of education. We have the greatest teaching corps in the world, and yet we fail to recognize the function of education as a basic force in the maintenance of our democracy. We haven't any national department of health, in the truer sense, that safeguards the health of the people. I noticed the other day in England they are

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adopting, or considering the adoption of, legislation requiring everybody to be physically examined at least once a year, to safeguard public health. We have not treated of the question of housing, we have not broadly dealt with the economic questions dealing with the middleman or with the farmer in a broad way. We have put the question of antitrust legislation and corporate matters into the maelstrom of politics, when they are absolutely removed from politics; they are scientific economic questions which should be dealt with by scientists.

Mr. JOHNSON. Where are they put into the maelstrom of politics most?

Mr. MENKEN. Most? By both political parties. They are equally at fault.

Mr. JOHNSON. Where?

Mr. MENKEN. In their platforms and in the things reflected in Congress, talk about corporate influence and corporations, and denial of the fact that the corporation to-day is the ordinary instrument for the conduct of business by men in all walks of life, rich and poor alike; that it is a necessary vehicle of modern trade and modern enterprise, and we raise that talk and create prejudice and class distinction when there should be unity and harmony and understanding between labor and capital. The approachment is made more difficult because politicians, thinking the votes are thickest among the people who are not interested in corporations, raise the bugaboo of corporate interests, when they know in their heart of hearts that the corporation is a necessary and useful instrument if properly controlled, regulated, and harnessed by Federal power.

Mr. JOHNSON. To what extent would you, as an officer of the National Security League, recommend the harnessing of the railroads?

Mr. MENKEN. The Security League has never considered or had any relation to the railroad problem. I think it is a matter——

Mr. JOHNSON (interposing). That comes within the scope of your remarks.

Mr. MENKEN. It does not.

Mr. JOHNSON. Just a moment ago.

Mr. MENKEN. Yes; but you are asking me to discuss my own personal political theories as a citizen observer and nothing else. The Security League has no relation whatsoever with the railroad problem.

Mr. JOHNSON. Well, then, just change my question. I say, just change my question, then. Instead of asking it of you as a member of the Security League let me ask it of you as an individual.

Mr. MENKEN. Well, the first thing necessary for the consideration of any problem, such as the railroads, is for Congress to pay more attention to the administration of the law and a little less time on the making of laws, and to have proper administration. If we can have——

Mr. JOHNSON. How does Congress administer the law relative to railroads?

Mr. MENKEN. It don't.

Mr. JOHNSON. I understood you to say you were blaming Congress for——

Mr. MENKEN. The administration of the law.

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Mr. JOHNSON. Yes.

Mr. MENKEN. It does it in this sense: It makes the laws of this country. Owing to the fact that the United States is an unfair employer, that you do not pay living wages, you force one of two situations. You either require certain positions to be occupied by men of wealth, which is an undemocratic position, or you sap the strength and life blood of the people in the public employ by underpaying them. The underpayment of our civil list in this country is a scandal. It denies proper service to the Government, and until Congress is willing to pay a living wage to Government employees you can not expect a proper administration of law. In other words, if we are going to have administration of the railroads by the Government, or any further administration, let us begin by getting the men first and paying them what they are worth, rather than going to work and putting men in and underpaying them and expecting first-class service. First-class men will not accept Government employ.

Mr. JOHNSON. Since the Government has been operating the railroads, has it paid the employees less or more than the corporations paid them?

Mr. MENKEN. I understand at the present time they have taken away the executive heads, which are the directing genius, of many of the roads, or reduced their pay, and that they are, however, keeping up the personnel of the roads at about the same salary, at the expense of the railroads; the Government is not paying it.

Mr. JOHNSON. Your chief criticism of it is that the heads of the railroad corporations, or their principal officers, have either been done away with or are being paid less?

Mr. MENKEN. No; that is not my chief criticism at all. My chief criticism is that the Government can not administer properly until they pay a living wage to Government employees, based upon the cost of living and the competitive conditions in other vocations in life in this country. Look at our postmen's pay in New York.

Mr. JOHNSON. In criticising your country——

Mr. MENKEN. I am not criticising my country.

Mr. JOHNSON. No; you are complimenting it, then. Well, in complimenting your country, I would like to hear you further relative to the wages of railroad employees under Government operation, as compared with the operation by the corporations themselves.

Mr. MENKEN. Why, I understand they have maintained the same wages, and in some cases they have raised them to meet the increased cost of living; but they have not raised the civil list. They are not properly paying the men in the Army and Navy; they are not properly paying the secretaries of legations, the men in our diplomatic staff, to get the best service; they are not properly paying the judges; they are not properly paying the Members of Congress, either of the Senate or the House of Representatives, or the judges of our courts. They are all underpaid, and outrageously underpaid.

Mr. JOHNSON. All those places are sought, though, sometimes in your judgment at least, by men of competency, are they not?

Mr. MENKEN. Very often, sir.

Mr. JOHNSON. And if they serve for less than they could make in other walks of life and serve the country faithfully and well, the country is not the loser by it, is it?

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Mr. MENKEN. It certainly is losing by it if it does not return t any man, no matter in what walk of life, the full value of his serv ices. The country has no right to take without giving a full return The honor does not compensate a man in his old age when he ha spent a life, as I know many Congressmen have—I remember a tal I had with Samuel J. Randall about his work. I remember anothe eminent statesman who told me how he had given his life and ha nothing to speak of when he retired and given it to his country, an then he is not even a pensioner upon his country's bounty, becaus they do not recognize his service. The country can not pay for th work done by the leaders of the House and Senate, men lik Senator——

Mr. JOHNSON (interposing). Don't you think it is a matter o congratulation that there are capable men in the country who ar willing to serve their country even at a loss, and does patriotis never cut a figure?

Mr. MENKEN. Patriotism always cuts a figure, but the countr ought to make it so that the best men would serve without makin the sacrifice in money too deterrent. We ought to be able to choo the best men, not be forced—I had an opportunity here in New Yor once to make suggestions for two Congressmen, and we could n find two Democratsin New York City of eminence and distinctio who could afford to take nominations to Congress, because they coul not make the sacrifice of living on a salary, which I think was $6,00 at that time.

Mr. JOHNSON. Five, I guess.

Mr. MENKEN. Five, perhaps. We could not do it. You deny th government the services of the best men when the best are hardl good enough.

Mr. JOHNSON. Do you know whether or not the railroad employe desire the railroads to continue under Government control or b turned back to the corporations which own them?

Mr. MENKEN. I haven't any knowledge on that subject.

Mr. JOHNSON. Have you seen anything in the newspapers about it

Mr. MENKEN. I have not followed it, sir.

Mr. Johnson. If it were a fact that those who are doing the rai road work prefer to be employed by the Government rather than b the corporations, because under the Government management the are receiving better wages, that would refute your statement, woul it not?

Mr. MENKEN. It would not.

Mr. JOHNSON. There would be no inconsistency in it at all?

Mr. MENKEN. No; the public have something to say about the ser ice and the quality of service of the railroads.

Mr. JOHNSON. Of course the public have something to say abo the service, but not the compensation to the employee, I imagine, an it was that alone of which we were speaking.

Mr. MENKEN. It would refute—it would show the view of th railroad men, of course.

Mr. JOHNSON. And the average railroad employee is just like th average citizen; he would prefer to work under conditions which pa him more money than under conditions which pay him less?

Mr. MENKEN. Yes, sir.

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Mr. JOHNSON. And if they, the railroad employees, are clamoring for a continuance of Government operation of the roads, the inference would be that they are getting better wages, would it not?

Mr. MENKEN. Well, the fact speaks for itself.

Mr. HARRISON. Mr. Menken, I wanted to ask you, first, this man Greene that you spoke of as having consulted touching the organization of the National Security League, was Mr. Greene interested in the power interests at Niagara Falls?

Mr. MENKEN. I rather think he was the same man there, Senator.

Mr. HARRISON. He was the same man?

Mr. MENKEN. I rather think so.

Mr. HARRISON. Do you remember what plant that was that he was head of?

Mr. MENKEN. No; I do not know anything about his business affairs.

Mr. HARRISON. You do not know whether he had any interest over in Canada or not?

Mr. MENKEN. No; I do not.

Mr. HARRISON. Do you know what other interest he had?

Mr. MENKEN. No.

Mr. HARRISON. Except the Niagara Falls interest—the power interest.

Mr. MENKEN. Why, he was vitally interested in national defense, and that was the only thing that concerned me.

Mr. HARRISON. Those Niagara power companies develop power for various concerns that make, in some instances, war materials; that is true, is it not?

Mr. MENKEN. I do not know whether it is true or not.

Mr. HARRISON. You do not know what they make up there at Niagara Falls and Buffalo in the way of munitions?

Mr. MENKEN. I do not. I have not been there since I was a small boy.

Mr. HARRISON. Oh, I see. But Mr. Greene took quite a lively interest in the organization of the National Security League—helped you and cooperated with you?

Mr. MENKEN. He had two or three short—two interviews with me, I think, at my office and I had one interview with him at his hotel.

Mr. HARRISON. Well, I understood you to say that you and he went to see Mr. Choate, I believe it was.

Mr. MENKEN. Mr. Choate; I think we went to see Mr. Choate. You remember, I was not quite positive.

Mr. HARRISON. I understood.

Mr. MENKEN (continuing). Whether he arranged the interview or whether I went there myself I did not remember. I knew Mr. Choate anyhow. He was very interested in national defense; in fact, his life had been spent largely in Army work.

Mr. HARRISON. Yes. Now, these——

Mr. MENKEN (interposing). He is a West Point graduate, I believe, by the way.

Mr. HARRISON. Yes; I understand so. These various gentlemen that you conferred with before the meeting that really organized the National Security League, you explained to them fully what the purposes of the league were and asked their ideas about it, and so on?

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Mr. MENKEN. I told them that I wanted to get up a movement to support Congressman Gardner's plan to secure the appointment of a commission under congressional direction which would inquire into and report to the people of the United States as to the condition of our defenses—resolution, or whatever it was, 372, I think—and it was really to find out, and under congressional direction, much the way you gentlemen are trying to find out what the facts are, and that was the way we tried to do it. In other words, we wanted to back up Congressman Gardner's plan to rouse the people through your activities or Congress's activities.

Mr. HARRISON. You thought that was the best way to go about it, was to stand behind Mr. Gardner's resolution?

Mr. MENKEN. Yes; and that is what he wanted.

Mr. HARRISON. You did not think Congress could work except through that joint commission, that he in his resolution was trying to obtain?

Mr. MENKEN. Well, Congress could work anyway they wanted to work. I had no such idea, but I thought that was the way they would work effectively.

Mr. HARRISON. Was there any means then or any piece of legislative machinery whereby the same objects could be obtained, through other committees, as through the commission named in this resolution of Mr. Gardner's?

Mr. MENKEN. Yes.

Mr. HARRISON. What other means?

Mr. MENKEN. Why, the moment we got in touch with Mr. Stimson and with Mr. Satterlee, they said, "For heaven's sake, you don't have to inquire about the lack of defenses. All you have got to do is to get the reports made by the Secretary of War, the Secretary of Navy, the Naval General Board, the heads of the General Staff of the Army, etc., and you will find out that everyone of the things you want to inquire about has been set forth year after year, and has been ignored by Congress session after session, and you don't have to inquire, you don't have to prove your case. The case is admitted, and set forth in those documents."

Mr. HARRISON. Then you felt it was unnecessary to pass the resolution introduced by Mr. Gardner, in view of the statements of Mr. Stimson to you?

Mr. MENKEN. We thought is was unnecessary to inquire further into the facts, because the facts were self-evident by the reports of the experts.

Mr. HARRISON. As a matter of fact, the Gardner resolution provided for a committee from the Senate and the House.

Mr. MENKEN. Yes.

Mr. HARRISON. To investigate these matters?

Mr. MENKEN. Yes.

Mr. HARRISON. Touching the National Defense.

Mr. MENKEN. That is my recollection. I have not looked it up.

Mr. HARRISON. And there were committees then of Congress that made appropriations for the Army and for the Navy and for fortifications generally, committees of the House on Naval Affairs and Military Affairs, and likewise in the Senate, that gave you that information, and you could obtain it all through those committees.

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Mr. MENKEN. May I say a word about that?

Mr. HARRISON. I just ask you, that is a fact, is it not?

Mr. MENKEN. No.

Mr. HARRISON. That is not a fact?

Mr. MENKEN. Wait a moment. It is a fact, and it is not a fact. The National Defense of this country instead of being concentrated in the hands of one body, was scattered into seven committees.

Mr. HARRISON. What seven committees?

Mr. MENKEN. Well, the committee on the Army of the Senate, the Navy committee of the Senate, the committee on fortifications. Then they had the Army committee of the House, the Navy committee of the House, the committee on fortifications, and there was one other committee. I think it is the committee on West Point and Annapolis.

Mr. HARRISON. So you thought those committee ought to be consolidated and work out the plan through one committee only?

Mr. MENKEN. Well, I want to say it provided the maximum of inefficiency, scattering the functions of the defense of the country between seven committees, instead of concentrating it in one; yes.

Mr. HARRISON. I want to get your ideas.

Mr. MENKEN. Yes.

Mr. HARRISON. Now, then, you thought in the House, instead of having a committee that should specialize on the Navy, another one on the Army, and another one on West Point or Annapolis, you felt they ought to be combined, so that one committe could specialize in the national defense?

Mr. MENKEN. Why, there certainly was need of a clearing house to unify means for national defense.

Mr. HARRISON. Well, I understand you to say, then——

Mr. MENKEN (interposing). My answer is yes to your question; yes.

Mr. HARRISON. Instead of having three or four committees, they ought to have one?

Mr. MENKEN. One national commission ought to have been appointed.

Mr. HARRISON. Well, one national commission. Were you going to make that outside of Congress?

Mr. MENKEN. Why, that was discussed. There were several bills.

Mr. HARRISON. What was your view about that?

Mr. MENKEN. My view was that the head of the Army and the head of the Navy, and perhaps three Representatives from each House, the men best informed, who made life studies, men like Sherley, who knew a great deal about fortifications; men like Mr. Patten——

Mr. HARRISON. And what they said should prevail? The findings of this commission should prevail?

Mr. MENKEN. Yes; have a commission, say, of nine in charge of national defense.

Mr. HARRISON. Now, I will ask you, as a lawyer of high standing, sir, and good judgment, and as a leader among men for a long time and an organizer of the National Security League, with its many members, don't you believe that a committee of 21 in Congress, specializing as to the needs of the Navy, that it is such a big ques-

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tion that if they turned to that one question, and leave the A alone, they have performed pretty good service?

Mr. MENKEN. May I answer you by indirection?

Mr. HARRISON. No; I would rather have you to answer me ju direction.

Mr. MENKEN. As to the Navy alone? I will answer as t Navy?

Mr. HARRISON. Yes.

Mr. MENKEN. Yes and no.

Mr. HARRISON. Well, I do not understand what you mean b answer.

Mr. MENKEN. That is why I said it that way, because I wan explain. May I?

Mr. HARRISON. Oh, yes.

Mr. MENKEN. Here, where we have the bigger problems c tional defense, it was absolutely necessary to have some contr vision, some controlling body over the entire question of de Defense is a matter of the citizen soldiery, the Navy and the A It required unification. There should have been some uni power. Now, to have an Army committee under the directio man like Dent or Hay, with neither vision nor leadership, impossible.

Mr. HARRISON. Now, why do you criticize Mr. Hay's or Mr. I leadership?

Mr. MENKEN. Because neither of them had any vision o Nation's need.

Mr. HARRISON. That is your own personal opinion?

Mr. MENKEN. Yes; and I follow it.

Mr. HARRISON. Now, I am asking you specifically on the pr tion, Where did Mr. Dent or where did Mr. Hay differ wit War Department?

Mr. MENKEN. Mr. Hay and Mr. Dent both failed to adop recommendation of the War Department.

Mr. HARRISON. In what instance?

Mr. MENKEN. Well, Gen. Witherspoon recommended an Ar 450,000 men.

Mr. HARRISON. When?

Mr. MENKEN. 1914.

Mr. HARRISON. Yes.

Mr. MENKEN. Mr. Dent——

Mr. HARRISON (interposing). Who was chairman of the com at that time?

Mr. MENKEN. Mr. Hay.

Mr. HARRISON. What was Mr. Hay's position?

Mr. MENKEN. Now, as I recollect it, at that time we had a n army of 35,000—men—29,000 men.

Mr. HARRISON. In 1914 we had a mobile army of——

Mr. MENKEN (interposing). Twenty-nine thousand men.

Mr. HARRISON. Twenty-nine thousand men, you say?

Mr. MENKEN. We had 95,000 men, but as Gen. Wood said wisely, many of them were nothing else but used as day lab much to his regret and objection. Mr. Hay wanted to use the m He was a great believer in the—he was a militia man all th through. Every military man who knew——

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Mr. HARRISON (interposing). They differed, then, as to the militia; Mr. Hay wanted to use the militia, and Gen. Witherspoon did not. You say. All right.

Mr. MENKEN. And every man who knew the military history of his country knew that the militia had from the beginning of this country, in every war, proven a broken reed, and that reliance upon the militia, or recognition of any strength upon the militia as a fighting force, was a denial of any knowledge of the military needs of this country.

Mr. HARRISON. Where did they differ? How far were they apart on the proposition? Mr. Hay, you say, opposed Gen. Witherspoon's plan?

Mr. MENKEN. Yes.

Mr. HARRISON. Who was Secretary at that time?

Mr. MENKEN. Mr. Garrison.

Mr. HARRISON. What was his position?

Mr. MENKEN. His position was to stand by the recommendations of the experts in the Army.

Mr. HARRISON. What was the administration's position, the President's position, say, at that time?

Mr. MENKEN. Well, at that time, it was a case of watchful waiting, and avoiding to take any position. Later, Mr. Wilson came out very strongly in favor of increased defense.

Mr. HARRISON. When?

Mr. MENKEN. In 1916.

Mr. HARRISON. But at that time what was the President's position?

Mr. MENKEN. You could not find out; that was a secret.

Mr. HARRISON. It was a secret. So you don't know whether he took the side of the Secretary of War or Mr. Hay at that time?

Mr. MENKEN. I know this, that when the Secretary of War—that when it came to conference with Mr. Hay, and the heads of the Senate and House Committees on Military Affairs, the Secretary of War was denied the privilege of being present at those conferences with the President.

Mr. HARRISON. Is it not a fact that about the only difference you know between the War Department, and Mr. Hay, during his administration as chairman of the Military Affairs Committee, was on federalizing the National Guard.

Mr. MENKEN. Why, Mr. Hay——

Mr. HARRISON (interposing). That was the main difference, was it not?

Mr. MENKEN. Mr. Hay was throttling every effort of the scientific men in the Army to build a scientific Army.

Mr. HARRISON. What other instance would you name except this?

Mr. MENKEN. The denial of the plea of Gen. Wood.

Mr. HARRISON. For what?

Mr. MENKEN. To equip our Army with officers for the future, through the training camps, by refusing to make any appropriation for our Plattsburgs. Gen. Wood taught the need of officers, and his effort made possible the winning of this war; and he had to go hat in hand and get the money from our men here in New York to pay the preliminary expenses of Plattsburg. When I say New York, I mean New York and the surrounding cities.

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Mr. HARRISON. Don't you know, Mr. Menken, that during Hay's administration as chairman, there was an appropriation i to take care of certain increases in the Army, and provide for cers, and so on?

Mr. MENKEN. Oh, yes.

Mr. HARRISON. That is true, is it not?

Mr. MENKEN. I think it went up to 140,000 at that time.

Mr. HARRISON. One hundred and forty thousand?

Mr. MENKEN. Yes.

Mr. HARRISON. During Mr. Hay's administration?

Mr. MENKEN. Yes.

Mr. HARRISON. How much was it before that?

Mr. MENKEN. Ninety-five.

Mr. HARRISON. Ninety-five thousand?

Mr. MENKEN. Yes.

Mr. HARRISON. Yes. Well, that was quite a good increase in Regular Army, was it not?

Mr. MENKEN. No.

Mr. HARRISON. That was not enough for you?

Mr. MENKEN. No; it was not enough for the country.

Mr. HARRISON. Not enough for the country. How much did want it increased at that time?

Mr. MENKEN. I wanted it increased so much at that time tha would have had that strength which would make Germany re us, and put us in a position of strength such as Washington de as being necessary for the protection of this country.

Mr. HARRISON. Well, how much was that? I want to get figures.

Mr. MENKEN. Half a million would have done it.

Mr. HARRISON. Half a million?

Mr. MENKEN. Yes.

Mr. HARRISON. Did any Secretary of War recommend half a lion increase?

Mr. MENKEN. No; they knew Congress, and did not dare.

Mr. HARRISON. Do you know anyone in public life who re mended half a million increase at that time?

Mr. MENKEN. Gen. Witherspoon recommended 450,000.

Mr. HARRISON. He recommended 450,000. Did the Secretar War agree with him?

Mr. MENKEN. I don't know.

Mr. HARRISON. Do you know anybody else who agreed with except yourself?

Mr. MENKEN. Yes.

Mr. HARRISON. Who else?

Mr. MENKEN. Every expert that I talked to about the Army

Mr. HARRISON. How much did Mr. Gardner at that time be in an increase?

Mr. MENKEN. Mr. Gardner took this position——

Mr. HARRISON (interposing). I am asking you, how much di believe in an increase? There was an amendment offered on floor of the House at that time.

Mr. MENKEN. Yes. Mr. Gardner wanted all the increase he c get you gentlemen of the Congress to agree to.

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Mr. HARRISON. How much increase did he offer as an amendment on the floor of the House at that time?

Mr. MENKEN. That does not mean how much he believed in; no indication of it.

Mr. HARRISON. It is a pretty good indication of how a Congressman stands.

Mr. MENKEN. No, sir.

Mr. HARRISON. You do not think so?

Mr. MENKEN. No.

Mr. HARRISON. How would you take a Congressman's stand, then, on a proposition like that?

Mr. MENKEN. If I were a Member of Congress, and a situation like that came up, I might have thought a million men were necessary; but if I knew that owing to the different demands made upon Congress or the different views of Congressmen that the most I could hope to get would be 100,000, I should have enough sense to cut my cloth according to the temper of Congress and present a proposition that would have some hope.

Mr. HARRISON. But if you had been in Congress at that time you would have offered an increase of 500,000?

Mr. MENKEN. I don't know that I would have had any more wisdom than the other Congressmen did. I would not want to say that.

Mr. HARRISON. I understood you to say you believed it ought to have been a million before.

Mr. MENKEN. Yes. That does not mean that I would offer a proposition I did not hope would go through.

Mr. HARRISON. What was the largest amount that an amendment carried at that time for an increase of the Army?

Mr. MENKEN. The largest, I think, ran up to 250,000.

Mr. HARRISON. 250,000?

Mr. MENKEN. I think it was the Brandegee amendment.

Mr. HARRISON. That was in the Senate. What was the largest amount in the House?

Mr. MENKEN. 178,000, I think; the Kahn amendment.

Mr. HARRISON. Yes. He wanted to go, then, several thousand more than Mr. Hay; and yet you criticize Mr. Hay when he offers and cooperates to increase the Army from approximately 90,000 to 140,000.

Mr. MENKEN. That is not the beginning of my criticism of Mr. Hay at all.

Mr. HARRISON. I just want to get your viewpoint, whether it is a very just criticism.

Mr. MENKEN. Yes, sir. Mr. Hay is one of those men who have resting upon them the blood guilt for the failure of this country to prepare.

Mr. HARRISON. There were 20 other men on the Military Affairs Committee, were there not, Mr. Menken?

Mr. MENKEN. Yes; and there are other men on the committee that were equally blind.

Mr. HARRISON. You were opposed to federalizing the National Guard, I understood?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Don't you think it has worked very well, federalizing the National Guard?

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Mr. MENKEN. I know, but it has not worked the way Mr. Hay proposed.

Mr. HARRISON. I am asking you, don't you think it worked very well, federalizing the National Guard?

Mr. MENKEN. They have not federalized the National Guard. They have made the National Guard part of the Federal Army.

Mr. HARRISON. What would you call that term?

Mr. MENKEN. The federalizing of the National Guard, as proposed under the Hay measure, was designed to maintain State officers in control of the National Guard, subject to certain Federal supervision. That meant that we would have absolute irregularity, an absence of standardization in troops, and we would maintain the same men who were responsible for the low condition of the militia. Now, you must remember that at this time 60 per cent of the National Guard were unable to qualify as second-class marksmen; 30 per cent of the National Guard had never used a rifle, and it was that abominable system that Mr. Hay proposed perpetuating under the guise of doing something to defend the country.

Mr. HARRISON. Don't you think the National Guard has shown pretty good service in this war?

Mr. MENKEN. That is not that National Guard?

Mr. HARRISON. What is that?

Mr. MENKEN. This is——

Mr. HARRISON (interposing). Well, the men who composed the National Guard that was taken into the National Army, don't you think they performed pretty good service in this war?

Mr. MENKEN. I think they have done magnificent service.

Mr. HARRISON. You criticized Mr. Dent very severely.

Mr. MENKEN. Yes.

Mr. HARRISON. You base that largely on the difference that he had touching the selective-draft principle, do you?

Mr. MENKEN. Why, I base it upon the fact that it was impossible to obtain any legislation out of Congress, except by dictation, on military affairs, under Mr. Dent's leadership; and the fact——

Mr. HARRISON (interposing). Don't you——

Mr. MENKEN (interposing). Pardon me, Senator; I will only be a moment; and the fact that when it came to pass the Army bill the President had to rely upon the services of Mr. Kahn, because he could not rely upon the services of Mr. Dent.

Mr. HARRISON. What was the difference at that time, so far as increasing the Army was concerned, between Mr. Kahn and Mr. Dent?

Mr. MENKEN. Well, I can not tell you in particular, at this moment.

Mr. HARRISON. Well, you are criticizing Mr. Dent, and you are praising Mr. Kahn, and I think you ought to give the committee some facts on which to base that.

Mr. MENKEN. Well, you lived with it, you know, much more than I did; but——

Mr. HARRISON (interposing). Yes; I am thoroughly familiar with the legislation.

Mr. MENKEN. Firstly, there was a question of the draft. Champ Clark——

Mr. HARRISON (interposing). I asked you about the increase of the Army, or the difference between them.

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Mr. MENKEN. It was the method of selection. Mr. Kahn believed in the democratic principle of the draft. Champ Clark believed a drafted man was no better than a convict.

Mr. HARRISON. I am not asking about the Speaker at this time.

Mr. MENKEN. Let me say Mr. Dent echoed his views. He believed the drafted man was no better than a convict.

Mr. HARRISON. Has Mr. Dent ever made any such expression as that? You want to be fair about this.

Mr. MENKEN. No; I do not think Mr. Dent did. Champ Clark made that expression.

Mr. HARRISON. What expression did Mr. Champ Clark make?

Mr. MENKEN. That a drafted man was no better than a convict.

Mr. SAUNDERS. He never said that.

Mr. HARRISON. Are you quoting him literally now?

Mr. MENKEN. To my best recollection.

Mr. HARRISON. You want to be sure on that.

Mr. MENKEN. If I am wrong, I will correct myself before I close.

Mr. HARRISON. Let me understand exactly what you mean by that. What do you understand Champ Clark to have said about that?

Mr. MENKEN. That a drafted man was no better than a convict. Mr. Clark has always been a renegade on preparedness measures, and an opponent of universal service.

Mr. HARRISON. Well, now, Mr. Menken, is not this a fact, that Mr. Kahn offered an amendment to increase the Army some few thousand more than Mr. Dent did? At the time that that Army bill was being considered, they took into the National Army, the National Guard, with opportunities of increasing the Army 425,000 men by that act?

Mr. MENKEN. I think that is true, sir?

Mr. HARRISON. Well, don't you think Mr. Dent did fairly well in that instance?

Mr. MENKEN. No.

Mr. HARRISON. He ought to have gone further?

Mr. MENKEN. Mr. Dent was being forced. I do not give Mr. Dent any credit. He went into the preparedness matter purely as a matter of painful obligation, not as a matter of vision. He had no vision or conception of the national need or the requirement of an Army for service in the European war. He was blind throughout.

Mr. HARRISON. You are very much in favor of universal military training, are you not?

Mr. MENKEN. I certainly am.

Mr. HARRISON. And universal military service?

Mr. MENKEN. I am.

Mr. HARRISON. And that is one of the objects of the formation of the National Security League?

Mr. MENKEN. It was not.

Mr. HARRISON. Well, I read of——

Mr. MENKEN (interposing). It is now, but it was not then.

Mr. HARRISON. It was not then?

Mr. MENKEN. No.

Mr. HARRISON. It was formed for the purpose of helping Mr. Gardner put through his resolution?

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Mr. MENKEN. It was formed for the purpose of obtaining proper defense for this country and awakening the people to the need of preparedness.

Mr. HARRISON. And, I understood you to say, assisting in the passage of the resolution and cooperating with that commission.

Mr. MENKEN. I said that was the immediate impulse.

Mr. HARRISON. Yes.

Mr. MENKEN. It was the fact that Mr. Gardner had pictured the means.

Mr. HARRISON. When were the National Security League's by-laws prepared?

Mr. MENKEN. About December 8.

Mr. HARRISON. 1914?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. I notice in that that the objects of the league are to establish and promote patriotic interest and national sentiment and service among the people of the United States, to promote recognition of the fact that the obligation of universal military service requires universal military training, as more at large set forth in the certificate of incorporation. You make no mention of the Gardner resolution there.

Mr. MENKEN. Oh, no.

Mr. HARRISON. Not at all?

Mr. MENKEN. No.

Mr. HARRISON. But you do set forth that you are in favor of universal military training there?

Mr. MENKEN. Yes.

Mr. HARRISON. Universal military service. You would question these various fellows who came into the organization about their views on military training before you would allow them to come in?

Mr. MENKEN. We had blanks—there were blanks—which they had to sign.

Mr. HARRISON. And say that they were in favor of universal military training?

Mr. MENKEN. Yes.

Mr. HARRISON. Have you got some of those blanks?

Mr. MENKEN. I would not be surprised.

Mr. HARRISON. I would like to see one.

[Mr. Menken looking through papers.]

Mr. HARRISON. What else did you obligate them to on those blanks?

Mr. MENKEN. I will let the blanks speak for themselves, if I can find any.

Mr. HARRISON. Yes; I would like to see that.

Mr. MENKEN. Mr. West, while I am going on to the next question will you dig through here and find it, and I won't have to delay the Congressman? You have got some of the early blanks of the league there, have you not?

Mr. WEST. I have them on file at the office.

Mr. MENKEN. See if there is not one here.

Mr. HARRISON. Well, I will go on with some other question.

Mr. MENKEN. You go ahead. I will find you a blank.

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Mr. HARRISON. Did you or your firm represent any interest in this country that had contracts with any of the allied countries during the war?

Mr. MENKEN. My answer to that is no; and from the beginning of my connection with the security league I gave instructions that my office should have nothing to do with any concern making munitions or having Government contracts for munitions; we had nothing to do with any contracts. We kept free. I believe, without my knowing about it, they formed one company—I have referred to it here—who did make some castings.

Mr. HARRISON. Who formed the company?

Mr. MENKEN. Mr. Clark. But it was an iron company, and when it was done we did not have any——

Mr. HARRISON (interposing). And Mr. Clark was a member of the firm?

Mr. MENKEN. Yes; but that was a small company.

Mr. HARRISON. What company was that?

Mr. MENKEN. The Penn Marine Co.

Mr. HARRISON. The Penn Marine Co.?

Mr. MENKEN. Yes; they formed that company, but that was the only corporation that I know of that we represented that had any Government contracts, except this; I rather think that when this war broke out this paint company that I am a director of—in fact I know they had some contracts for the sale of paint, as they naturally would have, being one of the big paint companies of this country.

Mr. HARRISON. Did you represent any British interests at all?

Mr. MENKEN. No.

Mr. HARRISON. Any diplomats over there?

Mr. MENKEN. No; I am sorry to say that I did not.

Mr. HARRISON. Any of the allied countries at all?

Mr. MENKEN. No.

Mr. HARRISON. Do you know whether or not any of these attorneys—most of them were attorneys—that helped you to form this organization, whether any of their firms represented any interests that had contracts with any of the allied countries?

Mr. MENKEN. I never knew of it, and I want to say this, that those attorneys, except Mr. Barry and myself, and Col. Lydecker, really had very little to do with shaping the policy of the league. It grew so rapidly in different cities that we never had time to keep up with it, and whatever was done was done through these great conferences that we will talk about later; we had national conferences in Chicago and Boston and New York and other big cities, Knoxville, and St. Louis, and so forth.

Mr. HARRISON. And you recall no attorney whose firm represented any interest connected with war contracts for any of the allies?

Mr. MENKEN. No; but it would be strange, where we had a hundred thousand members, and probably three or four thousand——

Mr. HARRISON (interposing). I understand that.

Mr. MENKEN. That none of them did. It would be quite natural; they must. For instance, one of the men who has done most to help this movement is Mr. Paul D. Cravath. Undoubtedly he represented some important concerns having contracts with the Government,

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because he has got a very important practice. It had nothing to do with the case.

Mr. HARRISON. Let me see that chart, please?

(Mr. Johnson handed Mr. Harrison the large printed chart.)

Mr. HARRISON. I wanted to ask you about this. You severed your connection as president of the Security League about June, 1918?

Mr. MENKEN. Yes: something like that.

Mr. HARRISON. And it was because of a misunderstanding between you and Mr. McElroy and some other members over that Hearst communication?

Mr. MENKEN. No: it was not.

Mr. HARRISON. I understood that you and Mr. McElroy differed as to the policy.

Mr. MENKEN. It was because I was convinced that our educational work would go further if there was no question of the identity with the movement of somebody who had been falsely put in the position of being an advocate of Mr. Hearst.

Mr. HARRISON. I understand: yes. Of course, you were falsely put in the position by this letter being published. Did you give your permission for this interview to be published?

Mr. MENKEN. Well, I gave the interview, and I presumed it would be published. I did not give it to him to put it in their files.

Mr. HARRISON. And about how many days after that was it that you heard that Mr. McElroy had criticised you?

Mr. MENKEN. Why, the next morning, after I gave the interview, I went down and showed him a copy of it.

Mr. HARRISON. Yes: showed Mr. McElroy a copy of it?

Mr. MENKEN. Showed him a copy of it. It had not been published at that time.

Mr. HARRISON. You had not heard of any criticism that he had expressed before that?

Mr. MENKEN. And he told me he thought that I had made a very grave mistake, and it would hurt the league very much if Hearst published it; and I said I did not think it was the kind of thing Hearst would publish.

Mr. HARRISON. Had someone come to you and told you before that, though, that McElroy was criticising you about that?

Mr. MENKEN. No. He was perfectly frank himself about it.

Mr. HARRISON. But you had not heard it from any other source?

Mr. MENKEN. He told me himself.

Mr. HARRISON. But before that you had not heard that Mr. McElroy had criticized it.

Mr. MENKEN. He could not, because he did not know——

Mr. HARRISON (interposing). He had not seen it.

Mr. MENKEN. It was simply this: He criticized it when he saw it, very frankly.

Mr. HARRISON. Then, after that several other members read it in the Hearst papers, and you heard that they had criticised you for giving it out.

Mr. MENKEN. Yes.

Mr. HARRISON. Was it quite general among the members that they criticised it or just a few fellows?

Mr. MENKEN. I think this: I think my friends in the league who knew the work I had done, thought that I had made a mistake—I

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did not; I felt that I was right—in making any statement at all relative to Mr. Hearst, that might be construed in his favor. But I think everybody must have felt that.

Mr. HARRISON. What did you mean by that statement? I do not recall just what you said—something about Mr. Hearst having misused your statement?

Mr. MENKEN. He certainly did.

Mr. HARRISON. How did he misuse your statement?

Mr. MENKEN. Well, here is—this article in the New York American, in the evening edition of the paper, of the Evening Journal; they got out a heading on the article "National Security League indorses Hearst."

Mr. HARRISON. Let me see that. (Referring to newspaper in witness' hand.)

Mr. MENKEN. I have not got the copy of it here

Mr. HARRISON. Oh, you have not?

Mr. MENKEN. But they ran it across the page. Well, I had not indorsed him.

Mr. HARRISON. Not indorsed Hearst, I see.

Mr. MENKEN. Because I was willing to state the facts, in all fairness, of what Mr. Hearst had done, did not mean that I was indorsing Hearst. In fact, nothing was further from my mind.

Mr. HARRISON. But under those headlines your statement was published, which showed what you said.

Mr. MENKEN. If people read so far.

Mr. HARRISON. It did show the statement itself, though.

Mr. MENKEN. Oh, yes.

Mr. HARRISON. So he really misrepresented you, as you view it by the headline?

Mr. MENKEN. And by the black line in the statement overemphasizing it.

Mr. HARRISON. What black line in the statement overemphasizing it?

Mr. MENKEN. Well, he italicized things that were not italicized in my statement.

Mr. HARRISON. I see. So you thought he had misrepresented you because he thought that certain parts of your statement were more important than other parts, and he made them in larger type?

Mr. MENKEN. I am not attempting to say what he thought or what he meant. I did not know what he thought.

Mr. HARRISON. Well, you judge that, don't you? You think he misrepresented you by making it in larger type?

Mr. MENKEN. I think he misused the statement, yes.

Mr. HARRISON. Not misrepresented you, but misused the statement?

Mr. MENKEN. In this sense: Hearst had been a very strong advocate of preparedness, for reasons that I know not of, for the first five months of the league. He published cartoons, some of his cartoons urged people to join the Security League. When he came to me and said that our speakers—we had a great many speakers out—were saying he was against preparedness, I was trying to do the square thing by writing that for him.

Mr. HARRISON. Who were some of those speakers saying he was against preparedness?

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Mr. MENKEN. Oh, we had street speakers on the corner.

Mr. HARRISON. I understand Mr. McElroy did not give any instructions on the street talk.

Mr. MENKEN. I do not think he had anything to do with it.

Mr. HARRISON. Did you hear anything like that?

Mr. MENKEN. Yes; I heard one man speak, on the corner of Thirty-seventh Street and Boadway.

Mr. HARRISON. Did you hear that Mr. MElroy had given instructions to any of the men who were to go out and speak?

Mr. MENKEN. Mr. McElroy had nothing to do with giving instructions.

Mr. HARRISON. Who was at the head of this speakers' bureau?

Mr. MENKEN. Mr. C. A. Bill.

Mr. HARRISON. Had he given instructions to that effect?

Mr. MENKEN. No: he had not; but it was in the air; everybody was pounding Hearst at that time, and these men found it a popular thing, and they were doing it, and I did not object to whatever they wanted to do——

Mr. HARRISON (interposing). These men thought it was a popular thing to pound Mr. Hearst at that time?

Mr. MENKEN. Yes.

Mr. HARRISON. On his preparedness proposition?

Mr. MENKEN. No; his general attitude toward Germany and England in the war.

Mr. HARRISON. They thought he was taking up for Germany?

Mr. MENKEN. That has been the impression. I won't say that is the impression.

Mr. HARRISON. Some members of the league thought that?

Mr. MENKEN. I do not know what they thought.

Mr. HARRISON. You heard that from some members of the league?

Mr. MENKEN. Yes.

Mr. HARRISON. What members of the league had so expressed themselves?

Mr. MENKEN. I can not tell you who, but——

Mr. HARRISON (interposing). You do not recall?

Mr. MENKEN. I do not recall the names; no.

Mr. HARRISON. Was it some of the head men in the league?

Mr. MENKEN. I think the—I could not mention particular names, but I want—I am perfectly willing to say there was that spirit.

Mr. HARRISON. There was that spirit, and it was so expressed in some of the conferences of the league?

Mr. MENKEN. No.

Mr. HARRISON. In any of the conferences?

Mr. MENKEN. No.

Mr. HARRISON. I see; but after that——

Mr. MENKEN (interposing). Not that I recall.

Mr. HARRISON. But after that you gave out this statement in order to be what you thought just and fair to Mr. Hearst?

Mr. MENKEN. Exactly.

Mr. HARRISON. Touching his position on preparedness?

Mr. MENKEN. Because we had used Hearst. We had used his cartoons for five months in our magazines. We had used one of his best journalists, Mr. Stansbury, to write copy for us. We had re-

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ublished his cartoons all over the country; and although I was as itter and as antagonistic to Mr. Hearst, because of his anti-English ttitude and his critical attitude toward our allies, that I would be ery glad to particularize, if you want me to, at another time, I felt hat that was no reason why I should not be fair, in view of the ttacks of our men. And then there was the further question or hing in my mind all the time——

Mr. HARRISON. Will you, in that connection, particularize those instances that you say you can give? Do you recall any of them, off hand, now?

Mr. MENKEN. Well, first off, I felt that Mr. Hearst had——

Mr. HARRISON (interposing). What are you reading from now, Mr. Menken?

Mr. MENKEN. My own writing.

Mr. HARRISON. Oh, I see.

Mr. MENKEN. I felt that Mr. Hearst had not set forth, as a newspaper man of his prominence should, in his papers the fact that Germany was the aggressor, and, as an outlaw, started the war.

Mr. HARRISON. When did you prepare this statement you are reading from?

Mr. MENKEN. Oh, some time last June.

Mr. HARRISON. Before you gave this statement on June 18, 1918?

Mr. MENKEN. No; after.

Mr. HARRISON. How long after?

Mr. MENKEN. Perhaps a week after.

Mr. HARRISON. About a week. For what purpose did you get out that statement?

Mr. MENKEN. Just simply as a summary of my criticisms of Mr. Hearst.

Mr. HARRISON. I notice it is printed.

Mr. MENKEN. Oh, yes; I had it printed.

Mr. HARRISON. Did you distribute them?

Mr. MENKEN. No.

Mr. HARRISON. Have them distributed?

Mr. MENKEN. No; it has never been distributed to anybody.

Mr. HARRISON. How many copies did you have printed?

Mr. MENKEN. Just a printer's proof.

Mr. HARRISON. You have all of the printer's proofs?

Mr. MENKEN. Yes; perhaps a hundred of them; I don't know.

Mr. HARRISON. A hundred. You distributed none?

Mr. MENKEN. No, sir; I don't think anybody has ever had a copy of this, except——

Mr. HARRISON (interposing). You did not show it to any of your colleagues on the National Security League?

Mr. MENKEN. Oh, yes; I showed it to quite a number of them.

Mr. HARRISON. You gave them copies?

Mr. MENKEN. I did not.

Mr. HARRISON. You let them read it?

Mr. MENKEN. I gave, perhaps, four or five copies.

Mr. HARRISON. That was to quiet whatever criticism of you touching this interview——

Mr. MENKEN (interposing). No.

Mr. HARRISON. That was why you prepared it?

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Mr. MENKEN. No.

Mr. HARRISON. Why did you get out this interview?

Mr. MENKEN. I will tell you why. The league was very much excited about Hearst after this interview, and there was a distinct issue that I felt ought to be raised as to dealing with the Hearst situation. I pointed out that Hearst was merely a symptom, that the real problem that confronted the league was not Hearst but his two million and a half buyers of his papers and 10,000,000 people who read them; that the problem for people interested in the Hearst situation was to deal with those people through an educational campaign; that if they were going after Hearst, there was no use of attacking his concentrated direct power and his influence with the people who are his readers, which must be admitted, unless they were prepared to offer an affirmative program. I objected to the method of attack on Hearst, because I felt it interfered with the liberty of the press. They were trying—not the security league, but other parties—to prevent the sale of his papers.

Mr. HARRISON. You said "they" were. Who do you mean by "they"?

Mr. MENKEN. I am going to tell you. Local committees all over our suburbs.

Mr. HARRISON. Connected with the security league?

Mr. MENKEN. No; not connected with the security league.

Mr. HARRISON. Did this apply to any of the members of the National Security League?

Mr. MENKEN. Some of the members of the American League were in it. We had been asked if we would support it.

Mr. HARRISON. Who were they?

Mr. MENKEN. I don't know. There were people in Montclair and Mount Vernon and Plainfield, and all the suburbs.

Mr. HARRISON. Any particular members here, though, of the National Security?

Mr. MENKEN. Not that I know of. Just let me finish, will you? I will be through in a minute.

Mr. HARRISON. Yes.

Mr. MENKEN. They were having these attempts to stop the sale of his papers. I felt that was an unwise thing; I feared that precedent; and I never had any sympathy for them, and refused as president of the league to support them.

Mr. HARRISON. Who suggested to you as president of the league to take that position?

Mr. MENKEN. We had communications from the different branches asking if we were not going to take that position. I would not do it.

Mr. HARRISON. Who were some of those branches?

Mr. MENKEN. Well, I remember the East Orange branch.

Mr. HARRISON. And have you got that communication in your records?

Mr. MENKEN. I think we could find it.

Mr. HARRISON. In your files?

Mr. MENKEN. Probably we could find it. It is quite an elaborate place to look for papers. I do not know whether Mr. West has kept it or not.

Mr. HARRISON. Any other?

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Mr. MENKEN. Well, probably yes. It was all over this part of the country. Everybody was raising his hand to strike Mr. Hearst. I wanted to cure the disease and not the symptom, and I felt that was not the approach, that Mr. Hearst represented the protest against conditions in this country that had to be cured by education and by the assurance of legislation which was born of an understanding of the needs of the common people, expressed by men with the common touch, who were truly democratic and sympathetic with the requirements of the people, and that with good legislation and administration and a greater reverence for representative constitutional government; that the menace of Hearst was negligible and would cure itself, and that his leadership of hate would then be supplanted by constructive work which would permanently upbuild our citizenship, so that we would make our democracy not alone safe but successful to the highest degree.

Mr. HARRISON. You suggested those views to the other members of the executive committee of your organization?

Mr. MENKEN. Yes.

Mr. HARRISON. Did they agree with with you?

Mr. MENKEN. Yes; and that was——

Mr. HARRISON (interposing). They did all agree with you as to those suggestions?

Mr. MENKEN. They agreed that educational work was necessary and constructive work was necessary.

Mr. HARRISON. But applying that to Mr. Hearst, did they agree with you—the other members of the executive committee?

Mr. MENKEN. I do not think they—they were not willing to make it a personal matter to Mr. Hearst. They wanted to put their educational work on the great, broad plane of national bodies, instead of having it directed against any particular individual, as I did.

Mr. HARRISON. And the difference between you and the other members of the committee, then, became very sharp on that one question?

Mr. MENKEN. No.

Mr. HARRISON. It did not?

Mr. MENKEN. No.

Mr. HARRISON. Yet none of them agreed with you as to this suggestion applying to Mr. Hearst?

Mr. MENKEN. We were getting along, doing our educational work, and the committee were perfectly willing to take issue with Mr. Hearst, and they did, and the Security League——

Mr. HARRISON (interposing). That was when you got out?

Mr. MENKEN. Yes; and the Security League went on record in the strongest way denouncing Mr. Hearst, and in the course of this work I prepared for my own use a summary of an attack that might be made upon him if anybody wished to.

Mr. HARRISON. Upon Mr. Hearst or upon you?

Mr. MENKEN. Mr. Hearst.

Mr. HARRISON. Mr. Hearst?

Mr. MENKEN. Yes.

Mr. HARRISON. You were going to put yourself in a position to defend him, then, carrying out your views?

Mr. MENKEN. No. I was in a position to attack him if I felt it necessary.

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Mr. HARRISON. Attack Mr. Hearst?

Mr. MENKEN. But I felt he had attacked himself so vigorously that it was unnecessary for anybody to do more.

Mr. HARRISON. You did?

Mr. MENKEN. I did.

Mr. HARRISON. You think so?

Mr. MENKEN. I do. I think he is his own condemnation.

Mr. HARRISON. Now, you can go ahead and continue your answer to the question, that you were reading there.

Mr. MENKEN. Let's see. I want to say this. You asked me why the Hearst statement was unfair——

Mr. HARRISON. I am asking for information.

Mr. MENKEN. Yes. He used my statement, made to a reporter—a very nice young man who came to the house early one morning—which was purely a statement, as a letter. In other words, he made my communication an act of much more deliberation than a mere statement might have been. It was not a letter. I wrote no letter to Mr. Hearst; I made a statement to a reporter, and knowing the frailty of all human beings, I wrote it out. And I objected to that.

Well, to proceed. My objections to Mr. Hearst were based upon his attitude in softening Germany's crime, in not picturing Germany as the aggressor and the outlaw and the initiator of the war. That he never set forth the German plan of world conquest, and that the war was one of Germany against all civilization. And he never set forth the fact that he knew that Germany was our enemy, from August 1, 1914. That he never carried to his readers the conviction that German success meant demination of the United States by Germany, and that German success would affect the life and liberty of our people, and impose upon America the burden of intensive militarism to preserve its independence. That he knew that victory for civilization required our supporting the allies with food, funds and fighters, regardless of cost or sacrifice; and yet would not aid those efforts. That he knew that France, England, and Italy were fighting our fight, and that anything that injured them injured us; and that sound strategy on the part of America indicated the value of getting into the war as soon as possible.

That he knew that any attack on the integrity of the purposes of our allies weakened them, while palliation of Germany's crimes and advocacy of a German peace, aided and comforted the enemy.

That he knew that great wars are won through support given to the armed forces by the rank and file of the people, and that any weakening of the morale of the people was destructive of the military power of the nation.

Then I objected to the Hearst atttude, because he advocated peace between the warring nations every time there was a German success. That he opposed lending money to the allies, and opposed our sending them munitions and supplies, when they were fighting our battles, but without our military assistance.

Because he monstrously raised the cry of "America first," and opposed sending food to England and France, making appeals to our own selfishness and greed, instead of nourishing the nations that were keeping the Hun from our doors. That after we had gone to war he urged that our drafted men be not sent to Europe, but claimed that

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ney should be kept here to fight Mexico, wherein he had great personal interests.

Because he tried to create prejudice against Great Britain, whose efforts have defended us and allied us to their real purposes.

Because he reflected upon the good faith of France in its dealings with Switzerland, and so injured France, the nation which made our independence possible.

Because he questioned the loyalty of Japan to its allies, and tried to sow the seeds of disruption.

Because he glorified the Bolsheviki in Russia, whose acts wrecked the Russian Army and Government. Because he presented that the war was only in favor of moneyed interests and slandered our worthy national impulse.

Because by design and innuendo he defiled our entry into the war, the holiness of our mission, and the sanctity of our purposes.

Because he tried to prevent our sharing in the glory of war, by marshaling the cowards against the courageous, pointing out again and again the power of Germany, stating on March 27, 1917, that in case the Teutonic powers defeat the allies, we will be absolutely helpless and defenseless against the huge, victorious and veteran navies and armies of the central powers.

Because Mr. Hearst has stood as the leader of destruction instead of construction in national upbuilding, and because he has denied the cohesive force of representative government, and failed to point out the power of the people through constitutional methods, to obtain any reform or any betterment that popular judgment requires in the orderly way provided for by the founding of the Republic.

Mr. HARRISON. Who helped you prepare that paper from which you have read?

Mr. MENKEN. I helped myself.

Mr. HARRISON. Anyone else?

Mr. MENKEN. Nobody else.

Mr. HARRISON. You did not consult with anybody else?

Mr. MENKEN. No. After I wrote it I went over it with one friend.

Mr. HARRISON. You wrote that one week, or approximately a week after you gave to the press the statement, "I think the agitation against Mr. Hearst's papers is due not to any question of his personal loyalty or interest in preparedness, or the danger of this country from attack, but difference of view of method as to treatment of public questions and influence on readers of radical tendencies."

Mr. MENKEN. At the time I wrote that I meant to say, as I pointed out at the time, that I thought the influence of Mr. Hearst's paper is not due to any question; I meant to say "the" question. In attacking Mr. Hearst, I do not doubt his own belief that he is patriotic, but the fact that he is sinister, that he is a leader of the Bolsheviki, that he is the apostle of unrest, that he denies the grandeur and the possibility of constitutional government by constructive processes, that he does not maintain the standards of American life. Those are the things that I refer to.

Mr. HARRISON. You have changed your opinion about Mr. Hearst in a week, then?

Mr. MENKEN. I did not change my opinion one bit, and the two things are perfectly——

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Mr. HARRISON (interposing). You did not express just what you thought, then, when you wrote that article, that you think that agitation against Mr. Hearst's papers is not due to any question of his personal loyalty?

Mr. MENKEN. No. The people do not care a rap whether Hearst is loyal.

Mr. HARRISON. Do you believe——

Mr. MENKEN (interposing). Now, excuse me. I am not going to let that question pass by without a full answer.

Mr. HARRISON. That is all right. Go right ahead.

Mr. MENKEN. It is not a question of whether Mr. Hearst is loyal or disloyal that creates the agitation against him. It is the fact that he approaches public questions, as I said there, and influences readers of radical sympathies by an appeal to their destructive instead of their constructive tendencies. I stand exactly on that article.

Mr. HARRISON. Do you believe that your colleages of the National Security League, who criticized your interview and found fault with you, that culminated in your resignation as president of the Security League, were justified in the criticism and finding fault with your article here, that the country thought was a defense of Mr. Hearst at the time?

Mr. MENKEN. I think they had a great deal of ground for justification, or I should not have resigned. When I resigned there were about 7 men out of 52 on the executive committee that felt that there might be an advantage in my so doing, and I agreed with them, and the league having been the cherished object of my devotion for three years and a half, I felt that I could not for an instant embarrass the stupendous work, the work of nation-wide importance they were doing, by my presence if it could be helped by my retirement.

Mr. HARRISON. Your friends and the public generally thought from this interview that really you were defending Mr. Hearst.

Mr. MENKEN. I do not think so for an instant.

Mr. HARRISON. You do not think so for an instant?

Mr. MENKEN. No. I do not know about the public generally. I am not able to judge. They may have thought so.

Mr. HARRISON. Even if it did, you never did go into the papers and undo that impression that may have been formed by the statement that you read from?

Mr. MENKEN. I did so.

Mr. HARRISON. Did you go into the papers?

Mr. MENKEN. In the most positive language.

Mr. HARRISON. Where is that now? Let us get that statement.

Mr. MENKEN. Let me see if I can find it.

Mr. HARRISON. Probably Mr. West or some of them can be looking for it, and we will go on to something else. Who is the attorney for the Carnegie Foundation?

Mr. MENKEN. The Carnegie Foundation——

Mr. HARRISON (interposing). The Carnegie Corporation.

Mr. MENKEN. Mr. West, do you think you can—[confers with Mr. West]. I have not the least idea.

Mr. HARRISON. You do not know who the attorney for the Carnegie Corporation is?

Mr. MENKEN. I want to say that when the Carnegie Corporation was formed I had the honor of forming it.

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Mr. HARRISON. You drew up the articles of incorporation?

Mr. MENKEN. The original charter for the Carnegie Foundation I drew up.

Mr. HARRISON. You represented them for how long after that?

Mr. MENKEN. Why, the situation was this: The Carnegie Foundation was formed to provide pensions for professors, and I was asked whether I would draft the charter. It was to be a $10,000,000 fund, as I recall it, and I did it, or my firm did it. I did most of the work myself at that time. It is a great many years ago, 15 or 20 years ago.

Mr. HARRISON. Still in existence, the Carnegie Corporation?

Mr. MENKEN. I think so; yes. I think they have had a charter granted by Congress.

Mr. HARRISON. What is the difference between the Carnegie Corporation and the Carnegie Foundation?

Mr. MENKEN. Why, the Carnegie Foundation—I think it was the professors' fund that I incorporated.

Mr. HARRISON. What?

Mr. MENKEN. It was the fund for the professors that I incorporated, the foundation fund.

Mr. HARRISON. Well, is the Carnegie Foundation the same thing as the Carnegie Corporation?

Mr. MENKEN. No; one controls the other.

Mr. HARRISON. Well now, you did not draw up the articles then, for the Carnegie Corporation?

Mr. MENKEN. No; it must have been the foundation that we incorporated.

Mr. HARRISON. You say you drew up the articles for the Carnegie Foundation?

Mr. MENKEN. I think that must have been the one; yes.

Mr. HARRISON. You answered me that question immediately after asking Mr. West there, "Which one was the one we got the money from?"

Mr. MENKEN. Yes; I wanted to make sure.

Mr. HARRISON. And then you answered.

Mr. MENKEN. It was the other one.

Mr. HARRISON. It was the Carnegie Foundation.

Mr. MENKEN. Yes; that is right.

Mr. HARRISON. It was the articles of organization that you drew up for the Carnegie Foundation?

Mr. MENKEN. Yes.

Mr. HARRISON. And they gave to the National Security League, after you organized it, $150,000, or obligated themselves to give them that?

Mr. MENKEN. The corporation did that.

Mr. HARRISON. Oh, the Carnegie Corporation gave that?

Mr. MENKEN. Yes.

Mr. HARRISON. I understood you to say a moment ago that was the Carnegie Foundation that gave that.

Mr. MENKEN. No; it was the Carnegie Corporation, I understand.

Mr. HARRISON. Now think, Mr. Menken, and let us get that absolutely straight. You may be a little confused on that.

Mr. REAVIS. He is right about it.

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Mr. MENKEN. I think I am right now.

Mr. HARRISON. I see. Which controls the other?

Mr. MENKEN. I really do not know.

Mr. HARRISON. Well one of them——

Mr. MENKEN. I would like to tell you how I came to get that money.

Mr. HARRISON. Well, I will get to that in a moment. Now, the Carnegie—you don't know whether the Carnegie Foundation controls the Carnegie Corporation or not?

Mr. MENKEN. I think the corporation controls the foundation.

Mr. HARRISON. And the corporation is capitalized at ten million?

Mr. MENKEN. I do not think it is capitalized at anything.

Mr. HARRISON. Not at anything?

Mr. MENKEN. No; I think it is a charitable corporation.

Mr. HARRISON. Who is the largest contributor, or who owns, take the greatest interest in it? It is named after whom?

Mr. MENKEN. Why it is named after Mr. Carnegie.

Mr. HARRISON. He endowed it?

Mr. MENKEN. As I understand. I have never seen its books.

Mr. HARRISON. Where does the $10,000,000 corporation come from? That is a stock corporation?

Mr. MENKEN. No; that was not a stock corporation at all. It was purely a fund. They formed——

Mr. HARRISON (interposing). Did Mr. Carnegie give to the Carnegie Foundation?

Mr. MENKEN. The foundation, in order to enable it to pension college professors and equalize their insufficient pay by giving them a white hope at a retirement age if they qualified according to the certificate of their respective universities. If the university maintained a certain standard and had a professor a certain number of years who did a certain service, they could apply to the foundation, as I recall it, and that man would be pensioned out of the funds of the foundation, on the basis of a certain per cent of his salary. It is a long time since I have——

Mr. HARRISON (interposing). Could you get for us the articles of incorporation of the Carnegie Foundation?

Mr. MENKEN. I do not know whether I could or not.

Mr. HARRISON. I wonder if we could get that in some way?

Mr. MENKEN. I should like to get it for you, because I do not know any institution that fills a greater need in the country, and I would like it to go in the record, in view of the remarks that appear here.

Mr. HARRISON. I understand. Who was their attorney about the time that this money was given over to the National Security League?

Mr. MENKEN. I do not know. We never came in contact with him, so far as I know.

Mr. HARRISON. What concern was it that gave the $150,000—the foundation or the Carnegie Corporation?

Mr. MENKEN. The Carnegie Corporation.

Mr. HARRISON. The Carnegie Corporation. Who was it that got the money from them?

Mr. MENKEN. I think I made the application, and when I appeared before them I was accompanied by Prof. McElroy.

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Mr. HARRISON. To whom did you make the application?
Mr. MENKEN. To the board of directors or the trustees, I don't ıow what they term them.
Mr. HARRISON. Who are the board of directors? Some of them, if ɔu know, or all of them, if you know.
Mr. MENKEN. Well, I know Mr. Root is a member.
Mr. HARRISON. Mr. who?
Mr. MENKEN. Root.
Mr. HARRISON. Elihu Root?
Mr. MENKEN. Elihu Root; Prof. Pritchard, Mr. Franks. I really ın not tell you.
Mr. HARRISON. Who else, if you know?
Mr. MENKEN. I will give you the full list at the same time.
Mr. HARRISON. Who was present when you made the application?
Mr. MENKEN. There were seven or eight gentlemen present, and ıey cross-examined us at great length.
Mr. HARRISON. Did Mr. Barry go with you at that time?
Mr. MENKEN. Mr. Barry? No. He was in the Army at that time.
Mr. HARRISON. He was in the Army at that time?
Mr. MENKEN. You see they had already given a half million dol-ırs to the Red Cross, and a very large sum, perhaps it was ıore, to the Y. M. C. A., and they were giving to all these public pur-oses: and hearing that, I felt that possibly we could get a subscrip-ion from them, and I was very proud and happy to get it.
Mr. HARRISON. They were pretty liberal?
Mr. MENKEN. It was nothing compared to what we needed.
Mr. HARRISON. How much did you ask for?
Mr. MENKEN. We asked for what we got.
Mr. HARRISON. $150,000?
Mr. MENKEN. Yes.
Mr. HARRISON. Of this, $50,000 has not been paid over yet, has it?
Mr. MENKEN. We have not needed that.
Mr. HARRISON. You have not needed that?
Mr. MENKEN. We have not used the money they gave us yet.
Mr. HARRISON. Rockefeller has contributed a large amount to the National Security League?
Mr. MENKEN. The Rockefeller Foundation refused to give any-hing.
Mr. JOHNSON. John D. Rockefeller.
Mr. MENKEN. But Mr. Rockefeller, I think——
Mr. HARRISON. You are speaking of Mr. John D. Rockefeller now?
Mr. MENKEN. Mr. John D. Rockefeller.
Mr. HARRISON. Yes.
Mr. MENKEN. I think he first gave us $5,000—it is pretty hard, ınd it is rather ungrateful not to remember him in particular. Then, later we got another subscription in the year, perhaps $5,000, and then when we got into the educational work we applied to Dr. Vin-cent, of the Educational Foundation, it being the kind of work they were doing, educational work. We thought we would get a large subscription from them, but in talking it over with Mr. Murphy, to whom I was referred, who has charge of these matters of policy, I found that the foundation felt that owing to the fact that we were doing certain outside work besides educational work, that they

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thought it unwise to have anything to do with the contributions to the league; that they were only going to contribute to strictly educational institutions, and they distribute a couple of million dollars every year to colleges all over the South and West.

Mr. HARRISON. So they did not give you anything?

Mr. MENKEN. And they would not give anything; but Mr. Rockefeller was sufficiently interested to make this very generous and noble contribution.

Mr. HARRISON. How much?

Mr. MENKEN. $25,000.

Mr. HARRISON. That is in addition to the other $10,000 that you just mentioned?

Mr. MENKEN. Yes.

Mr. HARRISON. Yes. Who was it that approached Mr. John D. Rockefeller on the question?

Mr. MENKEN. Why, I went to see Mr. Murphy, and Mr. Robert Bacon had been to see him before, and I don't know but what Prof. McElroy may have gone with me, or one of the other members of the committee.

Mr. HARRISON. Is Mr. Bacon a lawyer?

Mr. MENKEN. No; he is not.

Mr. HARRISON. He is not?

Mr. MENKEN. He has no business.

Mr. HARRISON. He has no business?

Mr. MENKEN. He is a soldier. He is a colonel, a liasson officer, in France at the present time.

Mr. HARRISON. I see. He has no business. You did not talk to Mr. John D. Rockefeller at all about this contribution?

Mr. MENKEN. I have never had the privilege. I do not know him at all.

Mr. HARRISON. Now, Mr. Menken, you were giving your views about Congress a while ago.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. The inefficiency of our Government.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. And your general idea of its inefficiency.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. And Members of Congress voting for propositions for personal purposes. Did you intend to convey the meaning, by Congressmen voting for personal purposes, that there was any corruption involved?

Mr. MENKEN. Not personal corruption; no, sir.

Mr. HARRISON. I understood, then, you to mean that in order to stay in Congress that they will vote for certain things for their particular districts when they know that they are unwise or it is unjust to do that.

Mr. MENKEN. I do not think they know. I think they fool themselves.

Mr. HARRISON. So, then, you think they have done it simply because they are fools?

Mr. MENKEN. I would not want to say that.

Mr. HARRISON. I want to get your exact meaning on that.

Mr. MENKEN. But there has been a tremendous amount of carelessness in the appropriation of public money, and a very oblique con-

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science on the part of legislators in appropriating public funds for the use of their own districts. We have had various modes of political morals at different times in this country, and the influence of the district or the political conditions has had its reflex in Congress, as I suppose it has in all legislatures. You see, I differ with Napoleon on these subjects. Napoleon said that the Deity on earth was the legislature. I do not think so.

Mr. HARRISON. Now, does the executive committee of your organization believe as you do, touching Congress on that question?

Mr. MENKEN. Why, I have never discussed it with them.

Mr. HARRISON. Was it one of the educational purposes and objects of the National Security League to diffuse that kind of knowledge among the people of the United States?

Mr. MENKEN. It is one of our objects to teach the people that at this time, when national reconstruction is essential, we require the very highest order of men in Congress as Representatives.

Mr. HARRISON. Well, but that does not answer the other question. You stated in your examination that you thought that Members of Congress voted for certain measures for personal purposes.

Mr. MENKEN. I said some Members of Congress.

Mr. HARRISON. Personal purposes, some Members of Congress?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Yes. And that that did not apply to any particular section?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. And that to-day we men in many instances were not very able, and so forth, due to various reasons that you gave. Now, is it one of the objects and purposes of the National Security League to diffuse that kind of information and knowledge among the people?

Mr. MENKEN. I do not know that it is one of the objects, but I should like to see it such.

Mr. HARRISON. Well, then, your executive committee have not discussed that particular proposition, and it has not been advocated before them?

Mr. MENKEN. For three years I urged the necessity in my reports and speeches to the league, of having true representatives of the people elected to Congress.

Mr. HARRISON. Why don't you run for Congress, Mr. Menken, having that idea about your representation here in the city of New York, and help New York out?

Mr. MENKEN. Well, sir, that is something I would like very much to do, and if you will arrange with the political powers that be that I can get a nomination, I will run; but——

Mr. HARRISON (interposing). Then this is a matter of sore toe with you, is it?

Mr. MENKEN. No, sir: I have been offered a nomination for Congress.

Mr. HARRISON. When were you offered the nomination for Congress?

Mr. MENKEN. When I was head of the Democratic League.

Mr. HARRISON. How long ago was that?

Mr. MENKEN. 1909.

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Mr. HARRISON. Did you accept it?

Mr. MENKEN. I could not, as a matter of honor.

Mr. HARRISON. Why?

Mr. MENKEN. Because I had formed the Democratic League with the understanding that I would not run for any public office.

Mr. HARRISON. And since then you tried to get in with the powers that be and could not do it, and consequently you have not tendered your good services?

Mr. MENKEN. Is that a statement on your part or a question, sir?

Mr. HARRISON. I am asking you, sir. You answered me that if I could arrange with the powers that be, you would be very glad to go to Congress, or to that effect.

Mr. MENKEN. I have never tried——

Mr. HARRISON. Did you not answer me in that way, or suggest that to me?

Mr. MENKEN. I would now; yes, sir.

Mr. HARRISON. I see. So you have not tried to go to Congress since that time?

Mr. MENKEN. No, sir.

Mr. HARRISON. 1909?

Mr. MENKEN. 1909.

Mr. HARRISON. Well, now, you have a primary election here in New York, have you not?

Mr. MENKEN. No, sir.

Mr. HARRISON. What?

Mr. MENKEN. We have a primary law, but we do not have a primary election.

Mr. HARRISON. Do you vote now at all, Mr. Menken?

Mr. MENKEN. I have only missed one vote in twenty-seven years.

Mr. HARRISON. I see. You have not got a very good opinion of your New York Congressmen, have you?

Mr. MENKEN. We have the finest list of misrepresentatives in Congress of any State in the United States.

Mr. HARRISON. I see. Now, Mr. Menken, in other words, you think that if the executive committee of the National Security League should take the places of your present representatives in Congress that it would be much more beneficial to the country?

Mr. MENKEN. I think if we could send some men with the ideas, and if we could get some legislation through the red tape of Congress, that it would not be without benefit to the country; yes, sir.

Mr. HARRISON. Now, when did you form these conclusions that you have expressed, touching the inequalities and inefficiencies and glaring errors of Congress, and the Government generally?

Mr. MENKEN. I have been working on them for 27 years.

Mr. HARRISON. Do you think it is any worse now than it used to be?

Mr. MENKEN. It is very much worse; for one reason: The national necessity for good Congressmen is so much more critical.

Mr. HARRISON. Right now?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. When did that become critical?

Mr. MENKEN. Well, it always has been.

Mr. HARRISON. I mean in your opinion. You say now that it is more critical.

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Mr. MENKEN. It certainly is; because democracy hangs on the alance.

Mr. HARRISON. But you do not begin that in comparison to four ears ago?

Mr. MENKEN. I do.

Mr. HARRISON. Or two years ago?

Mr. MENKEN. I do.

Mr. HARRISON. Well, now, when did it begin, eight years ago or six years ago, or four years ago?

Mr. MENKEN. It has always been true.

Mr. HARRISON. I understand. But you say it is more critical now than any other time.

Mr. MENKEN. Yes; and this country has suffered a loss of prestige, and from an economic point of view, through congressional sin, that is incalculable. You have endangered the success of the experiment of democracy—I do not mean you personally.

Mr. HARRISON. I understand.

Mr. MENKEN (continuing). And Congress, by its failure to make democracy the triumphant success it was designed by the founders of our Republic, have made democratic institutions much less a goal of civilized people throughout the world than otherwise.

Mr. HARRISON. Do you think that the United States as a democracy to-day stands in bad odor among the people of the world, or any worse than it did, say, six years ago?

Mr. MENKEN. It has not achieved its fullest destiny.

Mr. HARRISON. Well, is it better, do you think, than it was six years ago, in the estimate of the people of the world generally?

Mr. MENKEN. Well, I think this, that our failure to dignify constitutional government to the fullest degree has had its reflex upon the failure of European countries to accept a constitutional government, to a very large degree. The weaknesses of our political system certainly can not have failed to have had their influence with thinking men abroad.

Mr. HARRISON. Don't you think, Mr. Menken, that to-day, since the culmination of this war and the part the United States played in it, that the United States Government, as a democratic government, is in higher esteem and estimation before the people of the world than any other democratic government in the world?

Mr. MENKEN. We have not had democratic government in this country for the last two years. We have had government——

Mr. HARRISON (interposing). You have not answered my question. You can answer that yes or no. You do not think so, then?

Mr. MENKEN. We have had government by dictation in this country for the last two years, with adjournment of the Constitution.

Mr. HARRISON. I see. You do not think, then, that among the nations of the world to-day the United States Government stands higher as a democratic institution than it did before this war broke out in 1914?

Mr. MENKEN. I think the people of the United States stand higher. I do not know what the view about the Government is.

Mr. HARRISON. But I did not ask you that question. I asked you if you believed or did not believe that among the people of the world, including Paris and London, and Italy, the Government of the United States, because of the great part it has played in this war and

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the settlement of the war, and the things that it stood for, stand higher in the estimation of the people as a democratic government than ever before?

Mr. MENKEN. I think it is probably true.

Mr. HARRISON. Well, do you not think it is a fact, Mr. Menken? Are you not willing to concede even that much for your Government?

Mr. MENKEN. I want to see how the Government deals with the bigger problems of re onstruction, before I——

Mr. HARRISON (interposing). You think there is a bigger question of reconstruction, then, than the part we have played in this war, as a democratic institution?

Mr. MENKEN. I certainly do. I think the problems of reconstruction are much less attractive, but much more difficult than the problems of waging war.

Mr. HARRISON. Those problems of reconstruction, as I understood, included the question of increase of wages for Government employees, higher wages for judges, higher wages for the civilian employees generally of this Government, and some other economic laws. Is that right?

Mr. MENKEN. I mean, sir—I say it with a great deal of reverence—when I refer to those problems of reconstruction, the same things as you mean. When you think of your country's need and the need of your fellow countrymen, and the diverse elements therein, the lower element, the element without hope that needs help, the element that needs strengthening, and the element that needs a fair chance: I mean exactly the same thing and no different than I think you do, because I believe you have got as keen a head on this subject as I have, and I say the Government as yet has not dealt with those problems in a great, broad catholic way, or attempted for one instant to solve them.

Mr. HARRISON. Do you think those problems are greater than the question of national defense of this country?

Mr. MENKEN. I think I have proven my belief in the question of national defense for three and a half years' service.

Mr. HARRISON. But I am asking you now on those questions. Do you place those questions as bigger than the principles that this Government stood for in this war?

Mr. MENKEN. I do, for one reason, because the greater includes the lesser. Give us a proper national sense of service and a proper representative system, then the question of national defense will be but one of many great questions that will be properly handled by wise legislators. It is just a part of the whole.

Mr. HARRISON. Mr. Johnson was asking you touching the railroads, and you have very elaborately discussed the question of wages there, what men ought to get.

Mr. MENKEN. I did not think I had. I kind of side-stepped that because I did not feel competent to discuss it.

Mr. HARRISON. Well, that is the only question that I have heard you say that you feel like you were not competent to discuss. Now you say you don't know, since the Government took over the railroads, whether in most instances or all instances, the laboring man's the common workman's, wages have been increased? I understood you to say in some instances they had and in some that they had not. Is that right?

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Mr. MENKEN. I believe the wages of the railroad people have been increased.

Mr. HARRISON. Don't you know they have been increased?

Mr. MENKEN. Yes; sure.

Mr. HARRISON. Why did you answer Mr. Johnson by saying, in some instances they had and in some they had not?

Mr. MENKEN. Why, I meant to be frank about it.

Mr. HARRISON. Absolutely.

Mr. MENKEN. I am generally the cross-examiner instead of the cross-examined, and perhaps I——

Mr. HARRISON (interposing). Your objection to that was that some of the head officials did not get an increase in wages, in comparison with the compensation that they were entitled to, was it?

Mr. MENKEN. Well, that is, of course, a minor matter. No; my criticism is this, that I feel that the United States Government is not a fair employer to the people it employs.

Mr. HARRISON. Because it does not pay them enough salary?

Mr. MENKEN. Because it does not pay them a living wage, according to my idea of a living wage.

Mr. HARRISON. Do you know any Government employee now that gets the wage that you think he is entitled to?

Mr. MENKEN. I could make a facetious reply, but I will not.

Mr. HARRISON. You are very kind. That is one time you have sidestepped again.

Mr. MENKEN. But I think the entire scale of Government compensation is inadequate.

Mr. HARRISON. Well, now, you said the judges did not get enough.

Mr. MENKEN. They certainly do not.

Mr. HARRISON. Has Congress passed any increased pay for judges within the last few years?

Mr. MENKEN. They did.

Mr. HARRISON. When?

Mr. MENKEN. About four years ago they passed a bill increasing the pay of our local judges here in New York, so they get, I think, about 40 per cent of what our State judges get.

Mr. HARRISON. Is that the only instance?

Mr. MENKEN. I think they raised the salaries of the judiciary throughout, but it is totally inadequate.

Mr. HARRISON. When did they do that, you think?

Mr. MENKEN. Four or five years ago; perhaps it was three years ago; I don't know. I was very anxious to see it done, but the time flies pretty fast. It may have been a little longer.

Mr. HARRISON. How much did they increase the Federal district judges throughout the United States?

Mr. MENKEN. I think they raised them from $5,000 to $7,500.

Mr. HARRISON. And that was about four years ago, you think?

Mr. MENKEN. Three or four years ago.

Mr. HARRISON. You think a Federal district judge now gets $7,500?

Mr. MENKEN. I think that is it. Maybe it is $10,000. I really could not tell you.

Mr. HARRISON. As a matter of fact, you don't know how much wages they get, and yet you are criticizing the Government for not increasing their wages.

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Mr. MENKEN. I know it is not over $10,000. I know we pay our New York county judges $17,500.

Mr. HARRISON. Don't you think, now, Mr. Menken, when you criticize Congress for failing to pay these men enough that you at least ought to know——

Mr. MENKEN (interposing). I know.

Mr. HARRISON (continuing). How much they are being paid?

Mr. MENKEN. I know that they do not get over $10,000 a year, and it is inadequate.

Mr. HARRISON. Yes; but you do not know how much they are getting?

Mr. MENKEN. I know they do not get any more than that.

Mr. HARRISON. The Federal district judges do not get any more than $10,000?

Mr. MENKEN. No.

Mr. HARRISON. How much do the circuit court of appeals judges get?

Mr. MENKEN. I think they get $500 more.

Mr. HARRISON. Just $500 more?

Mr. MENKEN. Yes.

Mr. HARRISON. And you think this was increased four years ago?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. You know nothing about a bill that passed the House of Representatives a week or 10 days ago increasing the salaries of some judges, do you?

Mr. MENKEN. No; I have not followed that.

Mr. HARRISON. You are not keeping as well posted the last few days as you were formerly?

Mr. MENKEN. I will know about it when it becomes a law.

Mr. HARRISON. Did you have anything to do with the preparation of this chart, Mr. Menken [indicating]?

Mr. MENKEN. No, sir.

Mr. HARRISON. Nothing at all?

Mr. MENKEN. No.

Mr. HARRISON. You know nothing about this chart? I mean the chart that is headed "Congressional vote on preparedness and war" that the National Security League issued, with the question at the head, "What are you going to do about it?" containing eight questions that were called the acid-test votes.

Mr. MENKEN. Yes; I heard of it.

Mr. HARRISON. You did not see it before its preparation?

Mr. MENKEN. No; I do not think I did.

Mr. HARRISON. Well, I will not question you about it, then, if you did not have anything to do with its issuance. I think I have finished.

Mr. REAVIS. Mr. Menken, how long have you been practicing law in New York

Mr. MENKEN. Twenty three or four years.

Mr. REAVIS. And has all your professional life been lived in New York?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. You are the graduate of some law school, some law university?

Mr. MENKEN. Yes; Columbia University.

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Mr. REAVIS. Columbia. Have you had any other occupation or business other than the practice of your profession?

Mr. MENKEN. No, sir.

Mr. REAVIS. Have you been connected with any other industry in any way other than in the relationship of attorney and client?

Mr. MENKEN. No, sir.

Mr. REAVIS. Are you a stockholder in any commercial enterprise at this time?

Mr. MENKEN. No, sir. I am a holder of a company that holds stock in the paint corporation I spoke of before.

Mr. REAVIS. Yes.

Mr. MENKEN. The holding company that holds the stock I am a stockholder in.

Mr. REAVIS. And that is your sole financial connection with commercial enterprises?

Mr. MENKEN. Yes. I may—now, for instance, when I mentioned I was a director I may have one or five shares of stock, something like that.

Mr. REAVIS. But that is merely a nominal holding?

Mr. MENKEN. Yes.

Mr. REAVIS. And the purpose of the nominal holding would be to qualify you as a director, I presume?

Mr. MENKEN. That is not necessary under the New York law. You can be a director——

Mr. REAVIS (interposing). What would be the purpose, then, of your nominal holding?

Mr. MENKEN. Well, just simply that you happen to buy a share or 2 shares or 5 shares or 10 shares as a matter of interest, perhaps to show your cordial feeling toward it, or something like that. Sometimes it happens.

Mr. REAVIS. Do you recall at this time, Mr. Menken, any commercial enterprise in which you purchased stock inspired by the motives you have just suggested?

Mr. MENKEN. Well, I happen to hold a share of stock in the Wall Paper Co. that I bought 15 or 20 years ago.

Mr. REAVIS. Merely as a matter of friendship to some one connected with the association?

Mr. MENKEN. Friendship. Then I happen to think now of a concern that makes automobile tires. I had forgotten I had it. It never pays any dividends, and they always forget me around the first of the year. Things like that. I mean I have no large interest.

Mr. REAVIS. Those holdings are not so substantial, Mr. Menken, nor in any corporation or commercial enterprise connected with governmental activities, that would have any influence upon you in any way?

Mr. MENKEN. I said before, not alone that, but I have refused to take any work in any way related to governmental activity or governmental work, and refused to have anything to do with matters in Washington, so long as I was president of the league, and have adhered to that faithfully, except one matter where I made a fee of $100 because I happened to be in Washington. I have kept out of it entirely.

Mr. REAVIS. Did you have any connection prior to assuming the presidency of the league that it was necessary for you to separate

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yourself from in furtherance of the idea that you have just suggested?

Mr. MENKEN. No; but when the war broke out lawyers generally in New York were approached to draw contracts for war material, for horses, or things like that.

Mr. REAVIS. You have even refrained from that?

Mr. MENKEN. I felt it was better not to do it, not to have any connection with any department that I might have to come in contact with in connection with the league work, and I adhered to it strictly.

Mr. REAVIS. Now, Mr. Menken, if I understood you correctly, your feeling with reference to the lack of preparedness of the United States was in part at least inspired by certain addresses that you heard in the House of Commons?

Mr. MENKEN. Yes.

Mr. REAVIS. I take it for granted that you had followed in a general way the military and naval condition of the United States, even before you heard these speeches, had you not?

Mr. MENKEN. Rather considerably; yes.

Mr. REAVIS. Yes, and because you had certain knowledge regarding a condition of lack of preparedness, these speeches appealed to you more than they would under ordinary circumstances?

Mr. MENKEN. Yes; and because I was in Europe and a little nearer to the mobilization, and seen it, I could picture what would happen in this country if we were pushed into a war.

Mr. REAVIS. And you were in the atmosphere of the strife that was impending over there, in closer touch with it than you would be if you were in America, and, of course, that appealed to you?

Mr. MENKEN. Yes.

Mr. REAVIS. And you then determined upon your return, if you had the opportunity, to see if something could not be done to put America in a better state of preparation?

Mr. MENKEN. I would not say that, but it made my mind receptive to the effort that——

Mr. REAVIS (interposing). I do not mean that you had formed any definite idea of that.

Mr. MENKEN. No.

Mr. REAVIS. But that was hatched and confirmed in your mind.

Mr. MENKEN. I was receptive to the ideas of Congressman Gardner the moment I heard them, because I realized the virtue of his statement.

Mr. REAVIS. And when you came home you say that you got into touch with Gardner, and after you became advised of what he was trying to do and talked with him regarding it——

Mr. MENKEN (interposing). Yes, sir.

Mr. REAVIS (continuing). Then you conceived the idea of an organization looking to the creation of a public sentiment that would awaken the country and make Congress see its duty?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Now, that is a fair statement of your mental attitude at that time?

Mr. MENKEN. And backed by the Congressmen that were standing for the things we felt ought to be done.

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Mr. REAVIS. But your activities were to be directed toward the creation of a public sentiment, by reason of education and otherwise, that would be reflected in the action of Congress?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Your particular feeling of resentment—I do not use that word in its harsher sense—was toward Congress for its lack of preparation in the past, was it not?

Mr. MENKEN. I have always blamed the people for the—it is the people's fault more than the Congress. The Congressmen are what the people make them be.

Mr. REAVIS. You have not been dealing very gently with the Members of Congress in your testimony, and you stated you wanted to create this public sentiment for the benefit that it would have upon Congress.

Mr. MENKEN. I wanted to force Congress to act.

Mr. REAVIS. Now, don't you know that at that time, when you were starting the organization of a league for the purpose of influencing Congress, the President of the United States, not only in public speeches but in an address to Congress, stated that we had adopted a neutral attitude with reference to foreign countries, and that any additional preparation, either in the Army or the Navy, would be so out of harmony with that neutral attitude that it would be misunderstood abroad, and demanded that that preparation be not followed out? Do you recall that?

Mr. MENKEN. I do, sir; very well.

Mr. REAVIS. Why did you not have some activity with reference to public sentiment that would influence the President?

Mr. MENKEN. I certainly——

Mr. REAVIS (interposing). Why put it all on Congress?

Mr. MENKEN. I certainly did, and we succeeded in——

Mr. REAVIS (interposing). But in your——

Mr. MENKEN (interposing). And I want to say this: The President was clever enough to be influenced a year ahead of Congress.

Mr. REAVIS. Why do you say that the President was actuated by motives of cleverness? Are you quite fair to him?

Mr. MENKEN. I mean he was wise enough.

Mr. REAVIS. Why not say wise, rather than clever? That has rather an unpleasant sound.

Mr. MENKEN. It has not to me. I am very glad to say our President is clever, if I can.

Mr. REAVIS. Why did you say in your examination this morning that you were instituting this activity and seeking the formation of this corporation, or this league, for the purpose of influencing Congress, when Congress was really not entirely responsible for the lack of preparation?

Mr. MENKEN. Well, now, let me get the facts straight here a little bit, if I may take the liberty, Congressman. It was not until after the league was formed—when the league was formed the President came out with the pronouncement that "We will not turn this country into an armed camp." That was his answer to our demand for preparedness. We worked along, we held these meetings, we organized the conferences—we got this great body of men behind us whose names I wanted to give you but I have not been allowed to; we got

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these local branches all over the country; we held mass meetings simultaneously, sometimes in dozens of cities; we had our Chicago congress; we had our difficulties there with certain Members of Congress; we held our mayors' congress under the leadership of Mayor Mitchell, in St. Louis; we held our great preparation congress here in New York, through the aid of Mr. Lloyd Taylor, Mr. Baird, and another gentleman whose name I forget, but I would like to put in evidence if Mr. Taylor will tell me, from the Union Leage Club. We were instrumental—when I say "we" I mean other people interested in preparedness—in parading between two and three million people in the United States in favor of preparedness. Then the President jumped into the breach—he saw the need of the country—and he made his trip on an appeal to the country, so that he could get the support that was denied to him by Congress for the preparedness measures that he deemed necessary for the country. He went all over this country making speeches in order to influence Congress to support him in preparedness measures.

Mr. REAVIS. Now, let us, so far as possible—I realize——

Mr. MENKEN (interposing). That was 1916.

Mr. REAVIS (continuing). It does not require a great deal of courage to attack Congress, because everybody is doing it; we seem a good deal like Hearst in that particular—but let me ask you this: You say the President went through the country to get the influence of the public sentiment to require Congress to give him the measures of preparation that had been denied. Will you tell me when it was denied and what was denied?

Mr. MENKEN. He was having his difficulties with Congress all through 1915 and 1916.

Mr. REAVIS. You know I am not asking for a general expression. You state that Congress had denied the President those measures of preparedness which, either through the activities of this league or the vision that he possessed, seeing what was approaching, he was demanding. Now, what were those measures of preparedness that Congress had denied the President? You refer to his speeches, I presume, made through the West, when he said the sparks were flying all about us.

Mr. MENKEN. Yes.

Mr. REAVIS. What measures had been denied the President by the Congress up to that time? Tell me one.

Mr. MENKEN. I take it the thing operates a little bit this way: That under our system of government it is the duty of Congress to initiate, with clear vision, legislation.

Mr. JOHNSON. Then why the message to Congress?

Mr. MENKEN (continuing). And Congress had failed to put this country into a condition of preparedness.

Mr. REAVIS. I do not want to enter into any discussion of the philosophies of government with you.

Mr. MENKEN. I do not either, if you will pardon me.

Mr. REAVIS. But the Constitution requires the President, who is in possession of all sources of information, to advise the Congress on the state of the Union. We can not know those things, and he must. It is possibly true that Congress should initiate, but whether that be true or not, you said the President went through the country.

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Mr. MENKEN. Yes, sir.

Mr. REAVIS. To create a public sentiment to compel Congress to give him what Congress had denied him. Now, what was it we denied him?

Mr. MENKEN. You had not passed the bills that he thought necessary for the Army or the Navy or the fortification bills.

Mr. REAVIS. I beg your pardon, sir.

Mr. MENKEN. You had not passed the Army or the Navy or the fortification bills that he felt necessary.

Mr. REAVIS. Well, now, will you indicate to me what Army and fortification and naval bills he thought necessary that we had not given him?

Mr. MENKEN. Up to the opening of the European war Congress had still failed to follow the recommendations of the General Board of the Navy and of the General Staff of the Army, and it was——

Mr. REAVIS (interposing). Still, Mr. Menken, that answer is not quite satisfactory to me. Will you tell me what measures of preparedness, either naval or military, that the President had requested of Congress that we denied him, as a result of which he made his speeches across the country?

Mr. MENKEN. Well——

Mr. REAVIS (interposing). Do not answer me generally; tell me specifically.

Mr. MENKEN. Well, there were bills pending in Congress for a larger Army and a larger Navy.

Mr. REAVIS. What were they?

Mr. MENKEN. The naval appropriation bill and Army bill, in the Sixty-third——

Mr. REAVIS (interposing). Did the President make any recommendation to the Congress with reference to those bills that we had denied—that sent him across the country?

Mr. MENKEN. He evidently thought it was necessary to go.

Mr. REAVIS. I beg your pardon?

Mr. MENKEN. He evidently thought it was necessary to go.

Mr. REAVIS. You see that does not answer my question at all—as to what he thought necessary. I am not inquiring as to the President's mental operations at all. I am not inquiring as to the mental operations when you say the President was compelled to go across the country to get from Congress what we had denied him. Now, what was it we had denied him?

Mr. MENKEN. You had not passed bills putting the country in a proper condition of defense.

Mr. REAVIS. What was it that the President asked that we denied that sent him across the country?

Mr. MENKEN. Why, he had not been able to get any support in Congress for these bills either from Mr. Dent or Mr. Hay or Mr. Kitchin.

Mr. REAVIS. We are making a great volume here. Will you tell me what it was that we had denied him that he asked that sent him across the country?

Mr. MENKEN. You had failed to follow the recommendations of the General Staff of the Army and Navy, which he wanted provided for by law.

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Mr. REAVIS. What were they?

Mr. MENKEN. Increase of the Army.

Mr. REAVIS. What was the recommendation of the General Staff or the bill sent down by the War Department that Congress refused to pass?

Mr. MENKEN. If you want the particulars, I will have to go to my record.

Mr. REAVIS. I wish you would. I want you to tell me what it was that we denied him that Congress refused to enact that the President requested.

Mr. MENKEN. At that time I know this generally, because I have lived a pretty busy life on this thing to particularize as to dates, that there was a general lethargy in Congress as to defense measures. You could not get any support for military preparedness in either the House or the Senate, notwithstanding the fact that Senator Chamberlain was as valiant a champion of preparedness as could have been put into Congress by any preparedness society. Still they were not getting the measures through; they were blocked. Mr. Kitchin was blocking everything. Mr. Clark was opposed, Mr. Dent and Mr. Hay were opposed. Every scientific constructive measure was being turned down. They were dealing with compromise, denying the fact that partial preparedness is no preparedness.

Mr. REAVIS. Mr. Menken, you have said that several times in the record.

Mr. MENKEN. Yes.

Mr. REAVIS. And I am quite sure you believe that.

Mr. MENKEN. Thank you.

Mr. REAVIS. But still you do not tell me what the President asked that we denied and made it necessary for him to go across the country. Now, let me call this to your attention to refresh your recollection, if I may.

Mr. MENKEN. Yes.

Mr. REAVIS. Don't you know that the President stood against the war staff and stood advising Congress not to do those things, and as a result of it Garrison got of the Cabinet?

Mr. MENKEN. The President had to educate himself up to the preparedness situation like a good many other people.

Mr. REAVIS. Yes. Well, now, of course, the President—while I am not of his party, he has done fairly well in educating himself, and I am quite sure that you have been of great assistance to him in that, but you make the statement against Congress—I think you must have done it without thinking—that we were denying the President what he demanded in the way of preparation, while the criticism of Congress, if any prevailed, was that we were too subservient to the President. I want you to say what measure, looking to military preparation, either before or since this war, asked for by the President that Congress did not give him?

Mr. MENKEN. I think that it must be fairly said that once the President marshaled public sentiment behind him on preparedness measures that Congress followed his leadership.

Mr. REAVIS. Now, of course, that is damning with faint praise; but I am not seeking your good opinion on that. I will ask you the question again. What measures, either military or naval, did the

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President ever ask of Congress before or after war was declared, that Congress did not give him?

Mr. MENKEN. I do not know of any.

Mr. REAVIS. Then why do you say, to go into this record to be read through this Nation, that the President was compelled to go through this Nation appealing to public sentiment to compel the Congress to give him a preparation which Congress denied?

Mr. MENKEN. Because, when he began with his appeals, when we began with our appeals, when the progressive press of this country, one paper after the other, came out for preparedness, it had no response whatsoever, and Mr. Augustus P. Gardner and Mr. Kahn and Mr. Chamberlain were the laughing stock of Congress, were ridiculed upon the floor and voted down time and time again.

Mr. REAVIS. Will you tell me of any instance where Mr. Kahn was voted down on the floor of the House on any proposition he made?

Mr. MENKEN. Yes; on the Kahn amendment.

Mr. REAVIS. Outside of the Kahn amendment?

Mr. MENKEN. Why, he was in the minority on the big Navy bills.

Mr. REAVIS. What did Mr. Kahn have to do with the Navy bills?

Mr. MENKEN. He spoke in favor of them and worked for them. All the way through he was a consistent advocate of the bills.

Mr. REAVIS. Do you know of anything that was ever requested of Congress in the way of preparation by the Navy Department that was not enacted by Congress?

Mr. MENKEN. Yes.

Mr. REAVIS. What?

Mr. MENKEN. Why the small Navy men have won victory after victory year after year.

Mr. REAVIS. I mean, since the European war began; since the organization of your committee to correct the errors of Congress?

Mr. MENKEN. Yes.

Mr. REAVIS. All right, tell me what it was.

Mr. MENKEN. You turned down in 1915 the demand for scouts—scout vessels.

Mr. REAVIS. Recommended by the Navy?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. By the Navy Department?

Mr. MENKEN. Recommended by the Navy Board.

Mr. REAVIS. Don't you know that everything requested by the Navy Department of the Congress has been granted since the European war broke out?

Mr. MENKEN. I know that; but I also know Mr. Daniels's attitude at the beginning of this war, or the European war.

Mr. REAVIS. Is there anything or anybody connected with this Government that has met with your approval, Mr. Menken?

Mr. MENKEN. Yes.

Mr. REAVIS. What is it, for instance? You have neglected to state it up to this time.

Mr. MENKEN. I do not think I have, sir.

Mr. REAVIS. Will you tell me?

Mr. MENKEN. I think this, as I said before, that Congress passed the bills at the demand of the President after the beginning of this war, and the Security League went on record and sent letters of con-

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gratulation to the Members of Congress, and adopted resolutions and distributed them, and requested boards of trade and chambers of commerce throughout the country—I have got a copy of the printed resolutions we sent out asking them to do so—that they did that in a very broad-gauge patriotic way, and we have tried to show the debt of appreciation that we felt the country owed to Congress, and have other public bodies do the same thing.

Mr. REAVIS. Well, now, Mr. Menken, in all fairness to you, to your organization, and to the Congress and its condition, let me ask you this: You say that Gen. Witherspoon would recommend something and the Naval Board would recommend something. You know, as a matter of course, that these departments are composed of many men of many minds, do you not?

Mr. MENKEN. That is true of any department.

Mr. REAVIS. They do not agree, do they?

Mr. MENKEN. No.

Mr. REAVIS. And the Naval Department of the Government and the War Department of the Government take counsel of all of them, do they not?

Mr. MENKEN. Sometimes they do and sometimes they do not.

Mr. REAVIS. I do not say that they adopt the recommendations of all of them, but they counsel with them, do they not?

Mr. MENKEN. I do not believe they do always.

Mr. REAVIS. Well, have you anything to base that belief on other than the result itself?

Mr. MENKEN. Yes; I do not believe they counseled with Gen. Wood, the head of our Army at the outbreak of the war.

Mr. REAVIS. Don't you know, as a matter of fact—no; not since the outbreak of the war. I agree with you there—but don't you know as a matter of fact that the General Staff counseled with the War Department constantly?

Mr. MENKEN. They tried to.

Mr. REAVIS. And that the War Department after hearing the many men of many minds forms a policy and comes to Congress, and they are in full possession of all the facts necessary to the formation of that policy? They come to Congress with their estimates, or with their requirements, and ask for the authority of legislation and the appropriation legislation to carry that authority into effect?

Mr. MENKEN. I do.

Mr. REAVIS. Do you know of any instance since the European war broke out in August, 1914, of the Congress denying authority to the Naval Department or to the War Department a single request that they have ever made of it? Now, in order that you may understand me——

Mr. MENKEN (interposing). I understand you perfectly well.

Mr. REAVIS. I do not mean but what Gen. Wood may have disagreed with it or Gen. Witherspoon may have disagreed with it.

Mr. MENKEN. Or the Naval Board.

Mr. REAVIS. Or the Naval Board may have disagreed with it, but has not the Congress in every instance given to the Navy Department and the War Department all the authority that they have requested and all the money that they have requested since the war broke out in Europe in August, 1914?

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Mr. MENKEN. Yes; but I do not think that met the situation.

Mr. REAVIS. It makes this situation, Mr. Menken, and my purpose in asking that is to get into this record, if possible, that you were not quite correct when you said that the President had to go through the nation to appeal for public sentiment, because Congress was denying what the administration asked, while as a matter of fact Congress always gave the administration exactly what it asked.

Mr. MENKEN. It did, after he made his appeal and got the Nation behind him.

Mr. REAVIS. What was there before he made his appeal that Congress did not give him?

Mr. MENKEN. Lethargy and delay.

Mr. REAVIS. What was there in any recommendation made by him, or any portion of his administration, that Congress did not give him?

Mr. MENKEN. The delay.

Mr. REAVIS. What delay, on what?

Mr. MENKEN. I am going to come to it. The delay incident to the passing of the Army bill, under which we are now operating, was so great that Mr. Choate had to go forth here and raise the cry throughout the land, "For God's sake, hurry up," to Congress, and it was only after that was done and the repeated urging of the President that you even passed the Army bill that we have got now.

Mr. REAVIS. Did Mr. Choate originate that, "For God's sake, hurry up"——

Mr. MENKEN (interposing). Yes.

Mr. REAVIS (continuing). Prior to the President making his speeches across the country?

Mr. MENKEN. No; he did it afterwards.

Mr. REAVIS. Well, now, I am talking about those things that occurred before you say the President was compelled to go across the country. What was the delay that you speak of, that made it necessary for him to make these speeches?

Mr. MENKEN. Firstly, I presume you will agree with me that he would not have gone across the country making an appeal, as you must admit he did, through the country unless he felt it was necessary.

Mr. REAVIS. You know, Mr. Menken, I am not asking you for any deduction at all.

Mr. MENKEN. No.

Mr. REAVIS. You have made a positive statement. We want to know the facts upon which your statement is based, of the denials of Congress to the administration that required the President to make that journey?

Mr. MENKEN. I can not tell you, letter for letter, page for page, but I know that; and I presume I will be here to-morrow, and I will be prepared to answer that question, because I will get the bills out and give you the dates; but I know there had been lethargy, delay, hearings, and a general failure to speed up the preparedness program at a time when the world was on fire, and instead of getting something through quickly and immediately, equipping ourselves with officers and men and material, we were preparing for the very necessity of economic concentration which we had to go into the last 15 months; while if we prepared leisurely and had gotten ahead we would have saved untold millions

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Mr. REAVIS. You cite as an instance, the delay in the passage of the Army bill under which we are now operating. Was that Army bill even proposed to Congress at the time the President made the trip through the West?

Mr. MENKEN. Of course not.

Mr. REAVIS. Of course not. What Army bill was being delayed at that time? Was there any Army bill before Congress at the time?

Mr. MENKEN. Yes; I think the Army bill, the military bill in the Sixty-third Congress was pending at that time.

Mr. REAVIS. Was pending at the time the President made the journey?

Mr. MENKEN. That is my recollection.

Mr. REAVIS. The Sixty-third Congress?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Do you know what Congress was in session when he made that trip through the West?

Mr. MENKEN. It was either the Sixty-third or Sixty-fourth.

Mr. REAVIS. It was in the Sixty-fourth. You are mistaken in the Congress.

Mr. MENKEN. Sixty-fourth, yes.

Mr. REAVIS. Now, are you sure there was any military bill pending at that time?

Mr. MENKEN. No; I could not say positively under oath.

Mr. REAVIS. Can you go into your memory now and recall an incident of the President coming to the Congress and making any recommendations at or about that time, with reference to preparation?

Mr. MENKEN. You are asking me to recall?

Mr. REAVIS. I do not ask you to recall it. I ask you if you can recall it.

Mr. MENKEN. I think he made an address to the Congres in the early part of 1916, as to the need of preparedness.

Mr. REAVIS. Now, had there been any delay after that address, that you recall, with reference to the enactment of legislation, in harmony with the demands of that address?

Mr. MENKEN. My recollection is that there was a great deal of delay, but I would not want to specify, because I can not.

Mr. REAVIS. Do you remember what part of the year it was that he made this trip?

Mr. MENKEN. In the early spring, or in January or February.

Mr. REAVIS. And how long after he made the address?

Mr. MENKEN. I do not remember those detail dates.

Mr. REAVIS. You can not recall?

Mr. MENKEN. No, not now. I have a record here of them.

Mr. REAVIS. But you had a general impression, Mr. Menken, that there was a delay or a reluctance on the part of Congress to act in accordance with the wishes of the President; but is not that impression founded upon the fact that he made the speech rather than upon the fact that Congress had denied him anything he had asked for?

Mr. MENKEN. Well, of course, there was no affirmative denial on the part of Congress at any stage of the proceedings. It was simply a negation by acquiescence, by failure.

Mr. REAVIS. That you would deduct from circumstances, rather than an absolute denial? Do I so understand it?

Mr. MENKEN. Yes, if you want to put it that way.

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Mr. REAVIS. I want to look at it the way you want to look at it.

Mr. MENKEN. Yes.

Mr. REAVIS. If I am incorrect in describing how you feel about it, I wish you would correct me.

Mr. MENKEN. Why, I think that might be so.

Mr. REAVIS. Now, Mr. Menken, you have a magazine article here that I have not had the opportunity of looking over, with reference to the wastefulness of Congress; and I think in a sense some of your strictures are justified. But you made a pretty general statement there with reference to the conduct of Congress appropriating money for personal purposes. Now, did you mean that in the way of seeking appropriations for their districts, that the conditions would not justify?

Mr. MENKEN. I think there are a great many cases in the annals of Congress where appropriations have been made for the selfish purposes of enriching a district, without a corresponding national gain; yes.

Mr. REAVIS. Now, you referred particularly to useless Army posts.

Mr. MENKEN. Yes.

Mr. REAVIS. Well now, eliminating the cantonments and camps that have been made necessary because of our participation in the war, do you recall when the last Army post was organized and located by the Congress?

Mr. MENKEN. I think it was a great many years since an Army post was located.

Mr. REAVIS. Yes.

Mr. MENKEN. But I recall this, that the recommendation of the military authorities has been for the reduction of the fifty-odd posts—51 posts—of the Army to 8.

Mr. REAVIS. To eight?

Mr. MENKEN. And the recommendation fell on deaf ears, because there were too many districts. Another time a recommendation was made to reduce them to 16, but it was not a thing that was possible, owing to the influence against it.

Mr. REAVIS. Do you remember when those recommendations were made?

Mr. MENKEN. I can not——

Mr. REAVIS (interposing). Or by what Secretary of War?

Mr. MENKEN. I know Mr. Stimson and Mr. Root, of course, when he was Secretary of War, went into this thing very thoroughly, and so did Mr. Stimson.

Mr. REAVIS. Did Mr. Root ever make a suggestion to the Congress while he was Secretary of War for the reduction of Army posts?

Mr. MENKEN. I can not state positively, but I think it was made during Mr. Stimson's tenure.

Mr. REAVIS. What position does Senator Root hold with your organization?

Mr. MENKEN. Honorary president.

Mr. REAVIS. Don't you know, as a matter of fact, that the honorary president of the National Security League, while he was Secretary of War, and in a position of authority and power, recommended the appropriation for the continuation of these Army posts?

Mr. MENKEN. Well, I suppose he had to. What else could he do?

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Mr. REAVIS. Why did he have to make the recommendation, if it is so unwise?

Mr. MENKEN. They existed, and you could not abandon them, unless you had some other facility to place the troops in.

Mr. REAVIS. Well, if they are so unwise and so wasteful, why did he have to make a recommendation for the most wasteful method, when there was a better method at hand?

Mr. MENKEN. I went into that matter with Congressman Gardner once very thoroughly.

Mr. REAVIS. Well, will you not go into it with me and tell me?

Mr. MENKEN. And I am going to tell you what I learned about that, because I went into it pretty thoroughly. I urged upon him the advocacy by the league of the abandonment of these ridiculous Army posts—Cavalry posts, where they could not ride a horse for four months in the year, etc.—like Fort Ethan Allen, up in Vermont, and so on; and he said the difficulty with the situation, the way he had analyzed it was this, that it would cost so much to build adequate posts in 8 or 10 well-located centers, that the appropriation could not be gotten through in view of the other demands upon Congress. We went into that matter very thoroughly, and also the question of cantonments. He started that away back in 1914, the very problem we had to deal with in 1917; we had gone over all this, and his conclusion was that while it was an evil foisted upon the Government by ill-advised legislation in the past; it was something that we had better bear with and go ahead and take some other measure up in the interval.

Mr. REAVIS. Did that meet with your approval—that suggestion?

Mr. MENKEN. Well, there was no alternative at that time.

Mr. REAVIS. No alternative?

Mr. MENKEN. At that particular time. It was a fault of the past, though, that reflected upon the wisdom of the men who made that possible.

Mr. REAVIS. Do you know, Mr. Menken the circumstances under which these Army posts were first put into legislation—the needs and necessities and demands for them?

Mr. MENKEN. Yes; I know, as to some.

Mr. REAVIS. I beg your pardon?

Mr. MENKEN. As to some I do.

Mr. REAVIS. Do you know the Army posts, not in the far West, but still beyond the Middle West, say in Wyoming, Colorado, and places of that kind, the necessities that led to the Army posts there?

Mr. MENKEN. I do.

Mr. REAVIS. What were they?

Mr. MENKEN. Why, it was a case of safeguarding the community against the ever present Indian, and once they got them there, they liked having the soldiers so well that the system was perpetuated, although the Indians disappeared.

Mr. REAVIS. Yes; and the system was perpetuated, because of the statement that Mr. Gardner made as to the tremendous expense that would be entailed in making a proper substitute for the Army posts?

Mr. MENKEN. At that particular time, when there was so much demand for things that might be useful in case of a war and upbuilding an army. He did not feel it was wise to press that issue at that time.

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Mr. REAVIS. Are you prepared to criticize the location of these Army posts in the first instance; do you know enough of the situation that demanded them, or that Congress thought demanded them, to criticize their original location?

Mr. MENKEN. I would not want to assume the position of a detailed criticism of them, but I know this: Now, for instance, you take the one at Yellowstone, Wyo.; a million dollars has been spent on that post.

Mr. REAVIS. Where do you get the fact that a million dollars has been spent on that post?

Mr. MENKEN. Well, firstly, I have seen it, and, secondly, I was told that is what it cost.

Mr. REAVIS. Who told you that?

Mr. MENKEN. Oh, heavens, I don't know. And, third, I have seen it confirmed in print. I think you will find Woolley states it in his article in Everybody's Magazine.

Mr. REAVIS. Do you know who wrote this article in Everybody's Magazine?

Mr. MENKEN. Why, that article in Everybody's Magazine was sent to me, if I recollect, by Mr. Page.

Mr. REAVIS. I am not particular as to who sent it to you. Do you know who wrote it?

Mr. MENKEN. And he sent it to me as an authoritative statement by Mr. Woolley.

Mr. REAVIS. Who is Mr. Page?

Mr. MENKEN. Mr. Page is, of Doubleday, Page & Co., brother of the ambassador, the late ambassador, to the Court of St. James.

Mr. REAVIS. Of Doubleday, Page & Co., do you mean?

Mr. MENKEN. Yes.

Mr. REAVIS. Do you know of your own knowledge, or from any investigation, or from anyone who is in a position to know the facts, whether the statements in this article are correct?

Mr. MENKEN. I know this much, that I took great pains to read everything I could of an authoritative nature on the organization of the United States Army. I went through the 500 or 600 pages of Huydekoper's Military Policy and Upton's Military Policy. I read the 12 volumes of the War of 1812. I have had reason to specialize in the history of this country, and I took up each article. I discussed the details of my views as to preparedness with at least three ex-Secretaries of War—four—and I have got my information not in a way that will enable me to quote verbatim the particular statements of each Secretary but as a result of a moderate and temperate reflex of the ideas and statements they made. I have not gone into this thing with the idea of creating a sensation, because I do not want to.

Mr. REAVIS. Your reading, Mr. Menken, which I have no doubt you have done, of the War of 1812 and military tactics, and so forth, really does not answer my question as to whether you know that the facts stated in this article in Everybody's Magazine are correct.

Mr. MENKEN. I know this, that I discussed it with one or the other Secretaries of War, and asked them about it, and the general view expressed there was confirmed as true.

Mr. REAVIS. With what Secretary of War did you discuss——

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Mr. MENKEN (interposing). I told you I could not tell which particular one, but I have talked so often to all of them.

Mr. REAVIS. With whom did you talk regarding the subject matter of this?

Mr. MENKEN. I have talked relative to military affairs—I will not say as to that particular article, because I can not, where you have talked for four years on a thing and talked to hundreds of prominent men: but I have talked to Secretary Dickinson, Secretary Taft, Secretary Root, Secretary Stimson, and Secretary Garrison, and I have spent very considerable time with all of them. All of these gentlemen, with the exception of Secretary Garrison, were active workers in the league.

Mr. REAVIS. Now, Mr. Menken, I do not know whether you are familiar with the manner in which Congress functions or not, but I presume you are. You know that these committees, when they come to make the appropriation, make the appropriation upon the estimates given by departments, and that the heads of the departments and those who are in touch with the necessities for which they ask these appropriations go before the committees and tell them what they need and why they need it.

Mr. MENKEN. Yes, sir.

Mr. REAVIS. You know that, do you not?

Mr. MENKEN. I do.

Mr. REAVIS. Do you not know that not a single one of the Secretaries of War with whom you say you have talked has ever asked for the abandonment of these Army posts that are criticized in this article?

Mr. MENKEN. I do not know that they ever have or have not.

Mr. REAVIS. When they were in a position not only of power but in a position of authority and a position that put them in intimate touch with facts of Army posts, do you not know that not a single one of them ever asked for the discontinuation of these Army posts which you criticize as one of the elements of Congress extravagance or of congressional extravagance?

Mr. REAVIS. You do not know whether they have or not?

Mr. MENKEN. But I do know this, that Secretaries of War, like all other secretaries, measure their requests of Congress by their expectancy of success in obtaining the granting thereof by the congressional committees. One binds the other.

Mr. REAVIS. That is, you think that the War Department would ask of Congress only what they thought they could get, and not what they thought they needed?

Mr. MENKEN. They would not antagonize Congress by asking for something they knew they could not get.

Mr. REAVIS. Do you know enough of the mental operations of the Secretaries of War, one of whom is the honorary president of your concern, to be able to say that the reason they never asked, and he, in particular, never asked for a discontinuation of these Army posts, was solely the fact that they thought they would not be successful in having the request granted?

Mr. MENKEN. I would not presume to say I knew anything about that.

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Mr. REAVIS. Yes, and your statement a while ago with reference to that was merely an opinion, or a deduction, and not a statement of fact?

Mr. MENKEN. No; not entirely.

Mr. REAVIS. Well, was it the statement of a fact that they did not ask it because they thought they could not get it?

Mr. MENKEN. I know this, that normally the chairmen of committees come in contact with the secretaries of departments, and they go over things pretty intimately and carefully as to many matters, and there is a certain amount of corroborative working one with the other, and that the recommendations of the secretary naturally reflect that contact.

Mr. REAVIS. Will you please read my question again? The answer does not answer it.

(Mr. Reavis's last question was repeated.)

Mr. MENKEN. I do not know.

Mr. REAVIS. Then, when you stated that they did not ask it because they thought they could not get it, that was a deduction rather than the statement of a fact with which you are acquainted?

Mr. MENKEN. It represented my idea of the probabilities; yes, sir; a deduction.

Mr. REAVIS. You say that the chairmen of committees get in touch with the heads of the departments, which I think is true, but that is only partially true. Don't you know that the heads of departments come before the congressional committees and testify at length with reference to their needs?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Before the full committees?

Mr. MENKEN. I have heard them.

Mr. REAVIS. You have head them?

Mr. MENKEN. Yes.

Mr. REAVIS. And you know that to be the custom of Congress?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Now, come back again for a moment to your criticisms of Congress. I want you to say what it is that Congress refused to give the country that the President and the administration, in full possession of all facts, both domestic and foreign, asked it to give?

Mr. MENKEN. That was not the basis of my criticism.

Mr. REAVIS. I will be glad if you would answer the question, whether it is the basis of your criticism or not.

Mr. MENKEN. Yes; but I thought you said that was the basis of my criticism. Why, I simply answer you as I answered Senator Harrison, that the general attitude of Congress, under the leadership of Mr. Hay in one case, of Mr. Dent and Mr. Kitchin in the other, at a later period, was that of a body that was not responsive to the needs of the country for adequate defense, at a time when the world was at war.

Mr. REAVIS. Will you please read the question again?

Mr. MENKEN. And I do not feel in a position at the present moment to particularize.

Mr. REAVIS. Read it again.

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(The question was read as follows:)

Now, come back again for a moment to your criticisms of Congress. I want you to say what it is that Congress refused to give the country that the President and the administration in full possession of all facts, both domestic and foreign, asked it to give.

Mr. MENKEN. They refused in a general way, without being able to particularize, to prepare the country adequately for defense.

Mr. REAVIS. Well, now, Mr. Menken, that does not answer the question, and I guess you are not going to answer it. You say they refused in a general way?

Mr. MENKEN. They failed, I would rather say.

Mr. REAVIS. To give what you think the country needed, but did they refuse in any way to give the country what the administration declared it to need, and if so, state what it was?

Mr. MENKEN. I do not know of any administration measure that they failed to pass, but that does not meet the basis of my criticism of Congress.

Mr. REAVIS. I am not trying to meet the basis of your criticism.

Mr MENKEN. I know, but——

Mr. REAVIS (interposing). Because I think it quite impossible for Congress to please you. The point I am getting to is this, that if Congress did everything that those in authority and with knowledge wanted it to do, why do you criticize Congress for the lack of preparation, and say nothing about the administration?

Mr. MENKEN. I have said lots about the administration, but no questions here have been asked me about it.

Mr. REAVIS. Well, it has not required any questions to develop criticism on your part of the Congress, and it does not require a great deal of courage to criticize the Congress. Who has been responsible for the lack of preparation that you think was necessary, the Congress or the administration?

Mr. MENKEN. In the beginning—I hate to say it, because I think the man has done noble work of late, ever since the beginning of the war—Mr. Daniels was the greatest deterrent to adequate preparation in the Navy Department.

Mr. REAVIS. Yes.

Mr. MENKEN. He turned down proposition after proposition.

Mr. REAVIS. All right. Now, that fixes it on the Navy Department.

Mr. MENKEN. Wait a moment.

Mr. REAVIS. Let us go to the War Department.

Mr. MENKEN. In the War Department the failure of the President to support Mr. Garrison in his plans, to give Mr. Garrison the support which would enable him to deal as a duly accredited agent with the committees, the full committees of the House and Senate——

Mr. REAVIS. Then, Mr. Mennen, did you——

Mr. MENKEN. "Menken," if you don't mind.

Mr. REAVIS. I beg your pardon.

Mr. MENKEN (continuing). Was responsible for that. Then when Mr. Garrison retired, there was a halting period while Mr. Baker, who has done such remarkable work, was, as he put it to me, indulging in the process of concentrated education on the needs of the country as to military affairs. So we had a halting policy all the

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way through, which has resulted in much of the difficulties we have had to deal with and much of the sickness that has followed out of the things that you are going to find reflected in the future, as the result of our conduct of this war—and the expense of it, too. The cost has gone into billions, due to the delay in preparedness, and the blame is not to be shifted where we have 350—where we have four hundred and odd Congressmen—by saying that because the administration or the Secretary did not know or did not see, we failed to listen to a man like Gardner or Kahn or Chamberlain when they spoke, because you, as representatives of the people, had the burden just as much as Mr. Wilson or anybody else, and he could not move any further than you let him.

Mr. REAVIS. The proposition that I was trying to get to was to fix in your mind the primary fault for the country not doing what in your wisdom you think it should have done, and we get back to Daniels, at the head of the Navy Department, and the President's policy with reference to the military preparation. Do I now so understand you?

Mr. MENKEN. No; the primary fault of the country in not being prepared lay with the people themselves. They were blind and asleep.

Mr. REAVIS. So you will absolve both Congress and the administration ultimately?

Mr. MENKEN. I will not.

Mr. REAVIS. Well——

Mr. MENKEN. I mean to say this: Leaders should lead; but our leaders had their ears to the ground waiting for the people to speak, and until we aroused the people through the different preparedness societies—not alone the Security League, but others—and patriotic societies. I include political parties often among them, the action did not follow. Once the people were aroused and paraded and met and resoluted and spoke generally throughout the country the legislation came along with reasonable speed, although now and then that had to be accelerated.

Mr. REAVIS. Now, Mr. Menken, I want to get your mental attitude. It is your opinion that the position that the President and administration and the Congress ultimately took was, in large measure, influenced by the activities of your organization?

Mr. MENKEN. I think we had a very potent influence among other organizations, I think the most important force of anybody—of any one single instrumentality in the United States.

Mr. REAVIS. You really think that?

Mr. MENKEN. I know it.

Mr. REAVIS. You spoke of one of the evils of a democratic form of government, and I have forgotten exactly the phrase you used; I liked it when you used it.

Mr. MENKEN. I will try and use it again, sir.

Mr. REAVIS (continuing). Was the refusal of people to accept the responsibility of the ballot?

Mr. MENKEN. Yes, sir.

Mr. REAVIS. Now, is that a general condition, do you think?

Mr. MENKEN. I think it is in this country; yes, sir. I think if we are going to have good government in this country we have got to restore the parties to the people.

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Mr. REAVIS. You and I are not going to debate about that at all, but I am trying to find out whether or not this refusal to vote or failure to vote is a general condition, in your mind.

Mr. MENKEN. It is not a failure to vote. The people vote, but the trouble is they allow the selection of candidates, the determination of platforms and policies, and the broader questions of politics to go largely by default until election day, and then often they are faced by a situation of choosing between two evils of candidates or between two parties, neither of which represent their ideal or their purpose, and under conditions which would not exist if there was general awakening of the people to political responsibility.

Mr. REAVIS. Now, do you believe that that situation or condition is general?

Mr. MENKEN. Yes, sir; it is.

Mr. REAVIS. Where have you seen that, outside of the scene of your immediate activities here in New York?

Mr. MENKEN. Well, if I might presume to say so, sir, I have devoted myself to the study of politics for thirty-odd years and made a specialty of it, and I went so far as to read the newspapers of this country, the principal ones, from the revolution on to 1834, in order to analyze political conditions, and I have written on it. The political lethargy pervades all thickly settled communities. People have gotten the idea—the responsible men—that politics and business are a thing apart; that they are above politics. They leave it to the professional politicians instead of making politics every man's business; and the result is that we do not give the attention to politics in this country that patriotism requires.

Mr. REAVIS. I think that is true; but I am trying to find out whether that is a local condition or a national condition.

Mr. MENKEN. It is a local condition, and, from what I can learn, is a national condition very largely, and it is reflected in many of the laws in the West.

Mr. REAVIS. Do you think that that situation of the lack of interest, not only in elections but in the efforts that are involved in those elections, generally pervades this country or is concentrated in a few places like, say, New York?

Mr. MENKEN. I think that—of course, it is very hard to generalize about common questions of many or any communities. I think the entire country suffers from lack of political interest.

Mr. REAVIS. Have you made any investigation with reference to any given locality on that proposition?

Mr. MENKEN. Yes; I have. Years ago I was a member of the executive committee of the Citizens' Union, which I will confess to you is a body interested in reforming politics in New York City. We used to have presented to us a study of the civic conditions in other centers.

We found that the troubles in New York were reflected to a very large degree all through the country. The rings are controlling. If you doubt it, just carry through your own mind political conditions in Boston, New York, the horror of Philadelphia, the turmoil in Chicago, the boss-ridden conditions that have existed in years past in Cincinnati.

I remember my native State of Tennessee. I know we have heard rumors of certain things that have happened in San Francisco, and

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I have been to Kansas City on professional work, and I have seen what existed there; and so I can say, I think, that if American patriotism were measured by the performance of our city governments or civic centers it would be measured on a very low standard.

Mr. REAVIS. Well, now, those locations in which you say you have made your investigation, and concerning which you have testified——

Mr. MENKEN (interposing). I do not want you to think I have made elaborate investigation, because I have not. It is reports.

Mr. REAVIS. I take it for granted you have not, because, of course, you didn't; it would take a year to investigate any given locality.

Mr. MENKEN. Surely.

Mr. REAVIS. But that is all, so far as your knowledge goes, comprehended in these few congested centers; but I am talking about all the United States, out in the quiet places; don't you think the people are studying these questions and that they take an interest in elections?

Mr. MENKEN. I think the people are studying the questions and that we are going to have the reflex of it in our elections in years to come, very positively.

Mr. REAVIS. Don't you think it has always been the disposition of the people living in the rural sections, or in the smaller communities, where their attentions are not diverted by so many other things?

Mr. MENKEN. Well, I put it differently; I think politics is one of the local diversions, and having fewer other diversions they pay more attention to politics, and they know each other better, and they are able to size up men better than we are in New York, where you can live next door to the nicest men in the world for a generation and never meet them.

Mr. REAVIS. In my community—I will state it for your information, because you are interested in that—whenever a Democrat dies our grief is always mitigated by the fact that there is one less Democratic vote out there. We always look at those things.

Mr. MENKEN. Do they press you that hard, Congressman?

Mr. REAVIS. They do; and if it had not been for the persistence of the National Security League fighting me I might have been beaten. But you helped me wonderfully.

Mr. MENKEN. I am glad we have got one virtue.

Mr. REAVIS. But I would have to restrict it to that one. I do not believe I care to ask the witness anything more. There is one other matter, Mr. Menken, that I want to go into with you in the morning, but I have not my data here.

Mr. MENKEN. I wish you would give me the line, so I could be ready for you; because on some of these questions of dates, where you have kept your nose to the grindstone as I have, it is a little difficult for me to answer as to dates; and if you will give me a suggestion I will try to prepare myself and try to give you intelligent answers. I do not want to delay you.

Mr. REAVIS. It will not be with reference to any dates. It will be on general information.

Mr. SAUNDERS. Mr. Menken, I do not think I ever heard a more severe indictment of the failure of popular government in this country than was contained in the answer you gave to Mr. Reavis a few moments ago. Do you stand by all you said in your statement?

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Mr. MENKEN. I do.

Mr. SAUNDERS. With respect to these Army posts, if the matter had stood as it was before we went to luncheon, certainly the impression would have been created of very grave waste and misconduct on the part of Congress with respect to the establishment of Army posts. Are you prepared now to say that with respect to the conditions under which those posts were originally established—and that is the only test that we can afford in this matter—that those posts were wrongfully and improperly established?

Mr. MENKEN. I did not criticize the establishment. I criticized the maintenance of them, Congressman.

Mr. SAUNDERS. You have no criticism to make with respect to the original establishment?

Mr. MENKEN. Well, I have in certain cases.

Mr. SAUNDERS. Well, will you point out those Army posts that originally were improperly and extravagantly established?

Mr. MENKEN. Well, I understand that the establishment of——

Mr. SAUNDERS (interposing). Just a moment; and with respect to which, therefore, Congress would be charged with misconduct?

Mr. MENKEN. I understand that the establishment of Fort D. A. Russell, at Cheyenne, at a cost of a million dollars and a half, was absolutely unwarranted and unnecessary.

Mr. SAUNDERS. When was that post established?

Mr. MENKEN. Sometime in the late nineties; I can not tell you the date—perhaps it was 1893; I don't know.

Mr. SAUNDERS. This arraignment of Congress, then, goes back 28 years, with respect to that particular post. Well, now, since that outrageously extravagant post was established, many opportunities have been afforded to get rid of it; yet I understand you to say, and if I am mistaken in that you can correct me, that as the result of your conferences you are told that whatever might have been the original mistakes, that subsequent to these establishments there has been no opportunity afforded under which these posts could be abandoned to the public interests?

Mr. MENKEN. No, sir; that is not true.

Mr. SAUNDERS. That is not?

Mr. MENKEN. If I gave that impression I misled you.

Mr. SAUNDERS. Very well. Then since that time the object——

Mr. MENKEN (interposing). May I finish my answer?

Mr. SAUNDERS. That is——

Mr. MENKEN (interposing). I have not finished my answer.

Mr. SAUNDERS. You say I am mistaken. I am going to ask another question.

Mr. MENKEN. All right, sir.

Mr. SAUNDERS. Since that time, then, the opportunity has been afforded to the authorities in charge to correct whatever original mistakes were made in respect to the establishment of these Army posts?

Mr. MENKEN. I understand that two recommendations were made, at least; one to reduce the number of posts to 16, and the other to reduce the number of posts to 8; and that Congress failed to take any action on those recommendations.

Mr. SAUNDERS. Will you tell me who made those recommendations, and when they were made?

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Mr. MENKEN. I will. I will have to refresh my memory looking at the data I have over there, if Mr. Reavis will let me have my papers.

Mr. SAUNDERS. Well, just a moment about that. You are not able to state, to give the answer to this question then, out of your present knowledge?

Mr. MENKEN. No; I will not give you the dates or the names of the Secretary or the General Staff officers who recommended it.

Mr. SAUNDERS. When Mr. Root was in office as Secretary of War, and later as Senator from this State, these evils were in existence, were they not?

Mr. MENKEN. Unquestionably

Mr. SAUNDERS. Now I have gathered, and I raise no issue with you in that respect, or from what you have had to say about Mr. Root, that he is one of the supermen that found their way into public life. Will you tell me what he did, with the opportunities that he had as Secretary of War and as Senator in the Congress of the United States, to correct this great abuse?

Mr. MENKEN. I will only answer in one particular, that Mr. Root presented a general plan of Army reorganization, based upon a report which embodied an analysis of the history of the Army and the United States military policy, as set forth in Upton's Military Policy; and he endeavored to have that policy adopted by Congress. Now, as to what those details were, I am unable to state.

Mr. SAUNDERS. That was during President Roosevelt's administration:

Mr. MENKEN. It must have been, when he was Secretary of War.

Mr. SAUNDERS. That he presented a report favoring the reduction of these Army posts?

Mr. MENKEN. I did not say that, Congressman.

Mr. SAUNDERS. Well, I do not want to misrepresent you. I understood you certainly to say that.

Mr. MENKEN. I did not say that.

Mr. SAUNDERS. He did not favor the reduction of these Army posts?

Mr. MENKEN. I did not say whether he did or did not. I say he presented a report for the reorganization of the Army, based upon——

Mr. SAUNDERS (interposing). Oh, yes, that answer was entirely foreign to my inquiry. I asked you specifically with respect to Senator Root's activities touching the reduction of these Army posts, whether at the time that he was Secretary of War or when he was Senator.

Mr. MENKEN. I can not tell whether the two recommendations for the reduction of those posts were made by him or Mr. Stimson, or Mr. Dickinson, or Mr. Taft; I don't know.

Mr. SAUNDERS. You have no personal knowledge of any recommendation on Mr. Root's part, either as Senator or Secretary of War, with respect to the correction of this Army-post evil?

Mr. MENKEN. I am not prepared to testify to the detail of it; no.

Mr. SAUNDERS. Now, Mr. Menken, you have spoken, in response to questions by Mr. Reavis, of the lethargy that prevailed in thickly settled communities. Don't you think that would have been the

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fault of the superman in those communities for not taking a more active part in politics?

Mr. MENKEN. I can only state——

Mr. SAUNDERS (interposing). If that lethargy exists? I am not admitting or questioning it.

Mr. MENKEN. It is not only their fault. I want to say this. In New York City, in fact every community of size, we find a protest against that lethargy reflected by independent political movements from time to time. In New York City we have that situation which has resulted periodically in the election of independent officers to our city government, and those movements are led by the type of men that you refer to as supermen, who go into the question of municipal elections irrespective of politics.

Mr. SAUNDERS. You made this statement in response to one of Mr. Reavis's questions, that under the leadership of Mr. Dent, of Mr. Kitchin, and Mr. Hay, Congress was not responsive to the wishes of the President. Now, that is a distinct statement. I want to ask you whether or not, in the matter of Mr. Garrison's separation from the Government, that was due to the lack of response on the part of Congress to the wishes of the President.

Mr. MENKEN. No; I have always rather felt that it was due to a difference of opinion between him and the President.

Mr. SAUNDERS. Then that was a mistaken statement on your part, that as the result of failure to support the plans or the wishes of the President by Congress these results of nonpreparedness followed? Was it not a matter of fact that Mr. Hay was in strict conformity with the wishes of the President in his controversy with Mr. Garrison; because that was a controversy, I accept that as a fact of record, that there was a controversy between Mr. Garrison and Mr. Hay. Was not Mr. Hay in accord with the President in that controversy?

Mr. MENKEN. Why, I rather think that there was a good deal of accord between them. I do not know; I was not in the conference.

Mr. SAUNDERS. Was it not as a result of the lack of accord between the President and Mr. Garrison that Mr. Garrison had to leave the position of Secretary of War?

Mr. MENKEN. I should think that was probably the logical conclusion.

Mr. SAUNDERS. Then, in that respect, in that particular, Congress, so far from obstructing the President's wishes, was carrying out his wishes?

Mr. MENKEN. Wait a minute.

Mr. SAUNDER. You have spoken of Mr. Hay's retarding tactics, and criticized him very severely. In fact, I want to say in this connection now that with respect to these matters, these great differences of opinion between public men, that I have observed that men in public life, who are certainly as patriotic and as intelligent as yourself, when they differ with you with respect to these public questions you do not hesitate to criticize them in terms of most abusive severity. Do you think that is calculated to bring about the results that you speak of in your communication in relation to Mr. Hearst, namely, that you want to appeal to the common sense of our people rather than to their prejudices?

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Mr. MENKEN. I want to say this, in criticizing any man in Congress——

Mr. SAUNDERS (interposing). I am not objecting to the criticism. We make our record there, and it is up to the public. I am speaking of the turns which your criticisms take. You spoke of Mr. Hay's blood——

Mr. MENKEN (interposing). You asked me a question, did you not?

Mr. SAUNDERS. Yes.

Mr. MENKEN. I beg your pardon.

Mr. SAUNDERS. I thought you had finished.

Mr. MENKEN. I am not attempting at any time, nor have I any mental reservation in saying this, to reflect upon the patriotism of any Member of Congress. There is no reflection on that. But it is solely a reflection upon the intelligence of a man occupying a particular post in a particular committee or upon the floor of Congress, that is all.

Mr. SAUNDERS. You spoke of Mr. Hay's sharing the bloodguiltiness for lack of preparedness in this country, which is certainly a very severe phrase to use. In what respect is Mr. Hay carrying a burden of bloodguiltiness?

Mr. MENKEN. We have had a war, and we have achieved a great result. When history is written you will find that a matter of perhaps an hour—a great French general said 15 minutes—saved the war. Gen. Petain said that; that if America's entry had been 15 minutes later into Chateau Thierry the war would probably have been lost. We gambled with civilization that closely. In our lack of preparation we sacrificed lives through improper sanitary precautions; more men have died from illness than from wounds.

Mr. SAUNDERS. Just a minute. Don't you think you are getting clear away from the question? I asked you what Mr. Hay's individual responsibility was.

Mr. MENKEN. No; I am coming right to Mr. Hay. The preparation for war, in view of the history of our country, that Mr. Hay should have known, the record of our armies in 1812, the Mexican War, and the Civil War, pointed to the absolute necessity—mind you, I am judging him as a man who ought to know the history of his country.

Mr. SAUNDERS. No more than any other Member of Congress.

Mr. MENKEN. Oh, yes; I beg your pardon. He should have known, as chairman of that committee.

Mr. SAUNDERS. He has no secret knowledge any of us do not possess.

Mr. MENKEN. Then all of you should have known.

Mr. SAUNDERS. I am willing to take my share of the burden. I am talking about Mr. Hays.

Mr. MENKEN. Yes; it required adequate and scientific preparedness, it required equipment, and it prevented a condition where, if we got into the war and were in it 15 months, we would not have an airplane or a single big caliber gun fighting for us, where we would have a proper Sanitary Corps, a proper pay system; where we would have proper medical treatment for our men. And those things were left to the executive efficiency and skill of our men to

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pull out more or less after the country was at war. Mr. Hay and all the men who voted against preparedness made the task of America when we entered the war more difficult, and are responsible for the death and sickness that followed through lack of preparation.

We would have had 50,000 more officers if Gen. Wood had been supported in his effort to train men, had gotten the proper appropriation; if the recommendations of the General Staff as to the building of munition plants, as to the building of guns, as to the equipment with rifles had been followed, we then would have been prepared.

And what is more, sir, when I used the words "blood guiltiness," although I am very grateful that America got into this war, I believe if those men had prepared this country, Germany would not have first taunted and then insulted us, and we would therefore never have gone into the war.

Mr. SAUNDERS. Mr. Menken, we are all theorizing about the war. That is just your mind.

Mr. MENKEN. George Washington had the same theory.

Mr. SAUNDERS. We are not in the domain of theory now; nor am I entering into a debate with you about your military views. You may stand for the biggest Army and Navy that the world has seen five times over.

Mr. MENKEN. I am not a militarist.

Mr. SAUNDERS. And I have no issue to raise with you about that, but what I am asking specifically, and I renew my question, is what was the specific misconduct of Mr. Hay with respect to legislation, that caused him to be carrying this burden of blood guiltiness to which you refer? That is a specific question.

Mr. MENKEN. Failure to advocate the fullest and necessary measure of preparedness, as recommended by the General Staff of the Army and the General Staff of the Navy, in order to equip this country for the struggle if they got into this war.

Mr. SAUNDERS. When were they made?

Mr. MENKEN. Every single Congress prior to the Sixty-third, and during the Sixty-third, Sixty-fourth, and Sixty-fifth.

Mr. SAUNDERS. Do you recall what those specific recommendations were?

Mr. MENKEN. I can give them to you in figures, if you want them, but I have to consult my memorandum.

Mr. SAUNDERS. We will let you give them later. Mr. Hay's, then, failure consists in the fact—I suppose this is what you have in mind—that in the reorganization plans in which he came into that controversy with Mr. Garrison he did not favor the plan sponsored by Mr. Garrison or by these other outside parties that you refer to?

Mr. MENKEN. Why, I think it was Mr. Hay's general attitude, rather than any——

Mr. SAUNDERS (interposing). Well, his general attitude as embodied in that bill.

Mr. MENKEN. That was one, with other things.

Mr. SAUNDERS. Well, give us something else. That is where his responsibility began with respect to that particular bill.

Mr. MENKEN. The country had a right to expect of every person charged with a duty in connection with preparedness that they pre-

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sent measures which would have assured absolute preparedness to the United States, and any man who failed in that duty was either shortsighted or ignorant.

Mr. SAUNDERS. Very well.

Mr. MENKEN. And therefore guilty.

Mr. SAUNDERS. Then Mr. Hay was either shortsighted or ignorant, and as the result of which he carries this burden of bloodguiltiness?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Because in that reorganization plan he did not adopt Mr. Garrison's views?

Mr. MENKEN. I will not say that. Any other plan that would have been equally good, that would have prepared us. I hold no brief for Mr. Garrison's views.

Mr. SAUNDERS. Then that bloodguiltiness which you refer to that he carried is carried equally by the President and the other Members of Congress, because we have just agreed, you have agreed to that proposition, that Mr. Hay in his plan for reorganizing the Army was in accord specifically with the President.

Mr. MENKEN. Well, I refuse to be put into the position of criticizing the President at this time, but I——

Mr. SAUNDERS (interposing). Well, the President is not any more immune from criticism—he is a member of the Government of the United States—than a Senator or Member of Congress.

Mr. MENKEN. I think that is a great deal different.

Mr. SAUNDERS. He has no sacred office. He is just one of our three coordinate departments, and as the executive head of the Government I should think, under the Constitution, it was more his duty to formulate and present to Congress a scheme of national defense than it was for Congress itself, if he had any suggestions to make on that line. So he can not escape, if there is bloodguiltiness there; that bloodguiltiness must be shared by all who are responsible for it; and Mr. Hay, as you have agreed, was in accord with the President, because it was the result of the fact that he was in accord with the President that Mr. Garrison had to go.

Mr. MENKEN. Is that a question or a statement?

Mr. SAUNDERS. Well, that is a statement, in part.

Mr. MENKEN. Then I have nothing——.

Mr. SAUNDERS (interposing). Do you raise any issue with me?

Mr. MENKEN. Yes; I do.

Mr. SAUNDERS. That Mr. Garrison had to leave the Government because he was not in accord with the President?

Mr. MENKEN. I think this about it, that if the President was wrong in his first view, when he spoke about not turning this country into an armed camp, or taking a view of strict neutrality, that to a certain degree, a very large degree, he purged himself by his change of attitude and his early recognition. He was at least one year ahead of Congress in recognizing the need of preparedness.

Mr. SAUNDERS. Let us see. You stated that he had to go to the country. Mr. Reavis examined you on that line, that he had to go to the country in order to get something that Congress had denied. You never presented to Mr. Reavis in any answer that I recall any specific thing that the President asked of Congress that it failed to

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afford. Do you recall anything now that he called upon Congress to afford him that was refused him?

Mr. MENKEN. The reflex I get, as I think this over, in the hurry of answering your cross-examination, is this: That during the time that the President wanted preparedness, he sent for Mr. Hay and had many—as far as you can judge, mind you, I have never talked to the President about these things——

Mr. SAUNDERS (interposing). Oh, the whole matter was published; the letters were all published.

Mr. MENKEN. Yes.

Mr. SAUNDERS. There is no mystery about it.

Mr. MENKEN. As far as I recollect about that, he sent for Mr. Hay and labored with much difficulty with him as to the enactment of measures that he thought necessary. Now, as to what Hay said to Mr. Wilson or what Mr. Wilson said to Mr. Hay I am unable to testify, but I know this, that the President had to go to the country, in his own opinion, in order to get that legislation through Congress.

Mr. SAUNDERS. Well, again, as Mr. Reavis pointed out, you are making deductions, and you decline to give to this committee a single thing that Congress refused the President, and with respect to which the President had to appeal to the country.

Mr. MENKEN. Well, I——

Mr. SAUNDERS (interposing). Now, with respect to the controversy with Mr. Garrison and Mr. Hay, let me say this to you, Mr. Menken, that all of that is in the public press; it was all published. The whole correspondence was published.

Mr. MENKEN. Yes; I read it all.

Mr. SAUNDERS. And you will find in that that it was the fact of the accord between the President and Mr. Hay that caused Mr. Garrison to tender his resignation. Now, let me ask you another thing. When the President went to the country, did he say a single word in those setting-the-world-afire speeches with respect to a great Army? Did he go to the country, now, with respect to getting a bigger Army than we had?

Mr. MENKEN. My recollection is he advocated a much stronger Navy.

Mr. SAUNDERS. He did?

Mr. MENKEN. And preparedness for eventualities.

Mr. SAUNDERS. As you have made that statement as a witness, will you file with your answer hereafter anything taken from the President's speeches in the course of that swing around the circle that relates to the establishment of a greater Army than we have?

Mr. MENKEN. I shall try to do so, sir. I have his speeches here.

Mr. SAUNDERS. Again, you said that Mr. Kitchin had obstructed the President in Congress; that he was one of the leaders——

Mr. MENKEN (interposing). Yes, sir.

Mr. SAUNDERS. And had obstructed the President in Congress. Will you tell me in what way—now, that is a specific charge—in what way Mr. Kitchin obstructed the President in Congress?

Mr. MENKEN. Mr. Kitchin opposed every preparedness measure that was introduced.

Mr. SAUNDERS. Is that obstruction?

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Mr. MENKEN. It is what I referred to as obstruction. I did not mean—I want to say this, he did not delay by parliamentary tactics.

Mr. SAUNDERS. Did he delay in any way?

Mr. MENKEN. No; I think he was perfectly honest in his opposition.

Mr. SAUNDERS. Very well, then, that was a very misleading statement that you made with respect to Mr. Kitchin, that he was obstructing the President's program in Congress, was it not?

Mr. MENKEN. No; I think he knew enough to get out of the way when the measures were running along.

Mr. SAUNDERS. What do you mean, get out of the way? He voted against them. Was that getting out of the way?

Mr. MENKEN. He was opposed to them, but he did not adopt obstructionist tactics. He simply stepped aside and let the President——

Mr. SAUNDERS (interposing). How did he step aside? As a Member of Congress he expressed his attitude, because of conscientious convictions which were not in accord with the President's view, and voted against the measure. Was that an improper thing for a Member of Congress, holding those views, to do?

Mr. MENKEN. I used the word "obstructionist"; I probably should have said oppositionist.

Mr. SAUNDERS. In what way did he carry that opposition, except as an individual Member to vote in accordance with his individual convictions, which were not in accordance with the President?

Mr. MENKEN. After the war was declared he did nothing, as I recall it, except as you say, vote. Before the war was declared I think the record will show—that is my impression—that he was an active opponent to the various preparedness measures. I may be wrong, but that is my recollection.

Mr. SAUNDERS. Do you make that statement as one of record?

Mr. MENKEN. I say that is my impression.

Mr. SAUNDERS. That Mr. Kitchin—but this is an inquiry of fact. Do you make the statement or wish to be understood as making the statement that before the war Mr. Kitchin was in any wise actually opposing the administration policy?

Mr. MENKEN. I think you will find Mr. Kitchin was a small-navy and a small-army man.

Mr. SAUNDERS. Oh, he was undoubtedly, and expressed himself on that view.

Mr. MENKEN. Well, that was active opposition.

Mr. SAUNDERS. Is that active opposition?

Mr. MENKEN. Yes; I consider that active opposition.

Mr. SAUNDERS. That when a measure comes up through a committee in the House, and an individual who holds a different view votes in opposition to the bill that is propounded, that that is considered as active opposition to the measure?

Mr. MENKEN. I think it is as active as anybody can be. I do not know any other way, anything else he could do actively.

Mr. SAUNDERS. Yes: he could do—to use the words that you first used—he could have obstructed. Your charge against Mr. Kitchin, then, simply comes to this, that he as a Member of Congress was not

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in accordance with the President's view at a certain time, and contrariwise to it.

Mr. MENKEN. I should put it that he was blind to the cour needs.

Mr. SAUNDERS. Oh, well, I am talking about his having opp the President. Of course, we were all blind in those days, excep supermen.

Mr. JOHNSON. The committee will now adjourn to meet a to-morrow morning at 10 o'clock.

(Whereupon, at 5 o'clock p. m., further hearing in the above ter was adjourned until Friday, January 10, 1919, at 10 o'clock a

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NATIONAL SECURITY LEAGUE

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GOVERNMENT

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 10, 1919

PART 5

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.
PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
New York, January 10, 1919.

The committee met at 10 o'clock a. m., in the rooms of the New York Bar Association, 42 West Forty-fourth Street, Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committee will please come to order.

I believe you desire to continue your questioning of the witness?

Mr. SAUNDERS. Yes.

STATEMENT OF S. STANWOOD MENKEN—Continued.

Mr. SAUNDERS. Mr. Menken, you volunteered the statement on yesterday that in this country, although we are expending almost as much as Germany on our Military Establishment, that we had only something like one-fifth of the army of Germany. I believe that is about your statement.

Mr. MENKEN. Speaking as of 1913.

Mr. SAUNDERS. Very well, I will say as of 1913. I suppose you put in that statement with a view to sustaining your proposition of Congressional wastefulness in connection with the administration of public business?

Mr. MENKEN. Why, it is an element to that effect; yes, sir.

Mr. SAUNDERS. How long had that relation between our expenditures and the size of our Army existed?

Mr. MENKEN. I can only say that I believe that was the condition in 1914, and I would want to—and any statement as to the proportions of the relative figures prior thereto would be a speculation which I am not willing to make.

Mr. SAUNDERS. I am perfectly willing to have you stand committed to 1913. As of 1913 we were expending almost as much as Germany on our Army and getting only one-fifth the army that Germany had, and that was evidence of mismanagement somewhere, lack of securing a sufficient return for our Government expenditures in that direction. Now, Mr. Menken, as that involves a charge of mismanagement of public money, will you tell me in what respect the expenditures for that year, which were something like $100,000,000 a year, were prodigal or wasteful or extravagant?

Mr. MENKEN. The distribution of the Army into 51 army camps, instead of concentrating them into the number recommended by the General Staff, was one element that I am informed resulted in waste of four or five million dollars a year. The development of these cantonments and the incidental expenses was necessarily another element; the administrative cost in the communication was a further

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extravagance. And one of the great vices of that method was that prior to the war, and excepting the period immediately following and during the Spanish War, you could hardy find an officer in the United States that ever commanded at one time as many as 10,000 men.

The money spent was not productive of a force which was coordinated or effected as a fighting body. The result of the expenditure was that of the 90,000 men in the Army only 29,000 of them were a body of mobile, fighting troops. It did not produce a fighting force. The work of the Army itself was splendid. The men in the Army were a magnificent body. They proved that by what they have done during this war, but nevertheless, for the expenditure, I felt—and I am not able to specify in detail—that we did not get the full dollar's worth, the way you would have done, or any private owner would have done, if he was spending money—a private individual.

Mr. SAUNDERS. Now you are speaking of details that belonged to the Army and the administration of generals and Army heads. You are criticizing them. I am asking in what respect Congress was responsible for that waste and prodigality of expenditure—conceding that it existed.

Mr. MENKEN. I think in one way, if I am not mistaken, the democratic convention in 1912 pledged the party to the adoption of a national defense commission that would unify the defense system of the country and provide for the maximum return for the money appropriated by Congress, and Congress did not keep that pledge.

Mr. SAUNDERS. You are getting a political question now, and I am dealing with it as an economic administrative question. The system that prevailed in 1913 was precisely the system that prevailed in 1912 and 1911. Now, the War Department through its military head confers with the Secretary of War; the Secretary of War sends his estimates to the House. Are you able to point out whether in 1911, 1912, or 1913 the Secretary of War made any recommendations to Congress with respect to reforms in the Army system and the Army methods which would have saved a dollar to the Public Treasury?

Mr. MENKEN. I can not detail the recommendations, but I am prepared to produce the reports of Mr. Root and Mr. Stimson in that regard, and I think you will find them pregnant with many suggestions.

Mr. SAUNDERS. I would be very glad if you would supply me with any suggestions from Mr. Root or Mr Stimson, when they were respective Secretaries of War, which would have effected an economy in the administration of the War Department.

Mr. MENKEN. Can I send for them, so I can have them here?

Mr. SAUNDERS. Certainly. I would be glad to have them filed—in which they pointed out the excesses of the existing system and suggested reforms in it which Congress failed to act upon.

Again on yesterday, as evidencing what you call one of the extravagances of Congress, you said, as proof, the construction of a post office at Bar Harbor, Me. I don't know anything about that post office. Can you tell me what it cost?

Mr. MENKEN. No; I can not tell you the figures, but I have seen the building, and I imagine it must be $125,000 or $150,000. It is a granite building.

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Mr. SAUNDERS. Those recommendations, you know, come from the executive departments with respect to buildings.

Mr. MENKEN. Accelerated, though, often by the local interests.

Mr. SAUNDERS. The local interests in that instance were represented by the Senators from Maine and the Member from that district. I don't know who they were. I have never been to Bar Harbor, but I believe it is a place that rich people resort to, and there are many fine buildings there, are there not, in the way of homes?

Mr. MENKEN. Bar Harbor is on the island of Mount Desert. It is an island about 15 or 18 miles long, several miles at sea. It has probably 30 or 40 very delightful villas; it has a town of a few thousand inhabitants in summer and practically a negligible number of people in winter.

Mr. SAUNDERS. A considerable summer population?

Mr. MENKEN. Why, I suppose there are probably seven or eight thousand there in the summer.

Mr. SAUNDERS. It has been snuggested that having in mind not only the size of the population but the character of the architecture there, that a building such as you suggest was appropriate. Those considerations are fair considerations in respect to determining what sort of a post office should be put at Bar Harbor?

Mr. MENKEN. Not there. It is in the immediate vicinity of a livery stable and next to a vacant lot on one side and a truck garden on the other.

Mr. SAUNDERS. How much did you say it cost?

Mr. MENKEN. Well, I didn't say. I said I estimated it might have cost $125,000.

Mr. SAUNDERS. Your evidence, then, of the prodigal waste of Congress with respect to the post office is that the Senators and the Members of Congress from Maine—when was that post office established?

Mr. MENKEN. I presume about 1912 or 1913. Perhaps a year earlier.

Mr. SAUNDERS. Quite a number of years ago?

Mr. MENKEN. Of course, that is only a sample I am giving you.

Mr. SAUNDERS. Well, your evidence must take the form of samples. The Senators and Congressmen from Maine secured for Bar Harbor, Me., a post office that you think was larger and architecturally more splended than that place ought to deserve. Do you know in the State—let us come a little nearer home—get out of the deserts into the State of New York—do you know how many localities that are provided with extravagant post-office buildings?

Mr. MENKEN. Yes; the post office in Albany is an extravagant structure.

Mr. SAUNDERS. That is the capital of your State?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. And with respect to New York you think that the Senator and Members from New York, as the result of this vicious process of legislation you have referred to have secured an extravagant building for the capitol city?

Mr. MENKEN. The solution of the so-called problem in New York is not economically sound.

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Mr. SAUNDERS. I think you said that the post offices were established according to where the votes were thickest. Are the votes thick about Bar Harbor?

Mr. MENKEN. Republican votes are very thick in the State of Maine.

Mr. SAUNDERS. I imagine then that the city of New York must be very excessively supplied with public improvements of a prodigal and wasteful character, since votes are certainly thick in New York.

Mr. MENKEN. New York is not very popular in Congress.

Mr. SAUNDERS. But that has nothing to do with where the votes are thickest; that is a physical proposition. We have never, so far as my opportunities of observation go, found that New York was unpopular in Congress. New York presses upon us, her business men and her representatives, some very large projects of development for which they wish national aid and they fare about as well as the other sections of the country do. Do you think that in urging those propositions upon us—you say that the public men with respect to these other places were fooling themselves—do you think your representatives from New York were fooling themselves with respect to your needs in the way of harbor development and river development?

Mr. MENKEN. I think that the representations made by Mr. Murray Hulbert, as a member of Congress, as commissioner under the present city government, have been sound throughout.

Mr. SAUNDERS. You find the evidences of congressionl extravagance in appropriations other than in your immediate locality, then?

Mr. MENKEN. I hope I am not so provincial, sir.

Mr. SAUNDERS. Well, the instances you have cited are to that effect.

Mr. MENKEN. New York——

Mr. SAUNDER (interposing). If you will just pardon me in that connection, I find most localities think that the appropriations for their immediate section are entirely proper and sound—only too small. I don't find that your city and your own attitude differs from the other localities in that respect.

Mr. MENKEN. It is a good deal like the description of the tariff as a local issue.

Mr. SAUNDERS. Very possibly, but none the less it seems—your remark seems to be appropriate, that your locality finds its own appropriations reasonable, moderate, and judicious, and the other localities adopt the same attitude with respect to the appropriations that they can secure. The wishes of New York, then, I understand, Mr. Menken, with respect to the appropriations that they get out of the Government, are reasonable, judicious, and moderate?

Mr. MENKEN. I have not generalized about it, sir.

Mr. SAUNDERS. Well, isn't that exactly what you stated with respect to Mr. Hulbert's recommendations?

Mr. MENKEN. Yes; I said that about Mr. Hulbert's recommendations. Of course, the thing we labor under in New York is this: That when Mr. Hulbert goes before Congress and makes a demand for the waterways which are the gateway to the Nation and its commerce, it is attributed—the fact that he is making a demand is attributed to a demand for New York, where in many cases those are matters of general and national importance that he is speaking for.

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He has not spoken provincially or locally when he has made demands. They are matters of national necessity, such as the Hell Gate improvement and things like that.

Mr. SAUNDERS. That is in New York. Now, don't you find some inconsistencies, Mr. Menken, with respect to your suggestion that in Congress we accorded these appropriations where the votes were thickest and under a system of logrolling? New York has the largest State delegation in Congress, and are therefore in better position to logroll than any other State in the Union, and had the chairman on appropriations in the House.

Mr. MENKEN. Yes, sir; and a very great man, Mr. Fitzgerald.

Mr. SAUNDERS. Yes; we regarded him as a very good man. There are many others in Congress that we put in his class, but I am not taking any laurels away from Mr. Fitzgerald. But having in mind that you had all of that in an arena where this system of logrolling prevailed and giving appropriations where the votes were thickest, to what do you attribute the failure of New York in that arena?

Mr. MENKEN. May I take the liberty of telling you what I have in mind, sir?

Mr. SAUNDERS. Yes; certainly.

Mr. MENKEN. I look back at the history of Congress; I recall the men who constituted our first Congress and our constitutional convention: I consider their stature and their greatness, their method of approach, and solution of great public questions. I then drift along and see the present necessity of the country, and when I look upon the picture of Congress as constituted in 1787, 1788, and down to Washington's administration, and look at the picture to-day, I can not help having the record of the pensions, the river and harbor bills, the post office and other measures that have been enacted, and the politics that dominates Congress, to think, in view of the distinction between that picture on the formation of this country and the picture to-day, when our necessities are so much greater, and standardize the men in both Houses, that we have the gravest danger to reconstruct Congress—the reconstruction of Congress before Congress can reconstruct the country.

Mr. SAUNDERS. You only get yourself in deeper.

Mr. MENKEN. I want to get in very much deeper.

Mr. SAUNDERS. I say you only get yourself deeper into confusion.

Mr. MENKEN. There is no confusion. It is perfectly clear.

Mr. SAUNDERS. Let me finish my question. You present a picture of Congress; you present a picture of a Congress in which you assert that certain improper methods prevail. You then state, as you stated yesterday, that you have a congressional delegation which is the worst misfit that can possibly be found.

Mr. MENKEN. That was not what I used, sir.

Mr. SAUNDERS. I think you used the word "misfit."

Mr. JOHNSON. That is what the papers report.

Mr. MENKEN. The papers I read yesterday quoted me just as I said. I said that we had a choice assortment of misrepresentatives from New York City.

Mr. SAUNDERS. Very well, I accept that. If you think that modifies your criticism of your Representatives, I will accept that statement.

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Mr. MENKEN. I don't want to modify it. I stand by it.

Mr. SAUNDERS. Well, I don't think, then, that I misunderstood you in the statement I gave of what you said.

Mr. MENKEN. No; I prefer my own words.

Mr. SAUNDERS. Very well, I take your own words. You have then, according to your statement, having in mind the Congress of the present day and the character of delegations which you say you have, a delegation that ought to be peculiarly effective in its work in a Congress as at present composed.

Mr. MENKEN. That is true, sir.

Mr. SAUNDERS. And yet you complain that they have not been efficient in their peculiar operations?

Mr. MENKEN. That is true, sir.

Mr. SAUNDERS. Now, with respect to what you were speaking of the standards of other days, you are historically misinformed. If at some time you take the pains to read a somewhat elaborate work called Hastings Ancient American Politics you will find that not only in those days to which you refer did logrolling exist, but it was established and invented then, and that by their contemporaries the Congressmen of those days were far more bitterly assailed than the Members of Congress are to-day. You will further find that the Capital City itself—Washington—was established in its present location by an act of deliberate logrolling, so that whatever may be said about the Congress of to-day, so far as its standing in the eyes of its contemporaries is concerned, it stands just as well as the Congress of those other days stood in the eyes of its contemporaries, according to the history of those times.

Mr. MENKEN. In answer to that question, sir, I will say to you that I have read Niles Congressional Register, which you are probably familiar with, from volume 1 to volume 116, and I think I am familiar with the history of Congress, and I am also familiar—and I would refer you, sir, to the treatment of Congress of the problem of construction of this Republic at the time Mr. Hamilton came before Congress with his first recommendations, and the method of organization adopted by Mr. Washington and the fathers of the Republic to go through the primary legislation necessary to set the Republic going. It was those conditions I refer to.

Mr. SAUNDERS. You say you have in your State of New York a primary law but no primary election. What does that mean?

Mr. MENKEN. It means [illegible] that the primary law has been a failure in New York State. It is ignored to a very large degree. The nominations are made [illegible] as they were before, by the local bosses, and the usual thing is to have in New York City one candidate in the Democratic primary election and in the Republican primary, and we do not have that contest which is the best contest for nomination by the people which, if it was adopted, would be adopted.

Mr. SAUNDERS. But that, Mr. Menken, carries a criticism on the inadequacy of your political laws.

Mr. MENKEN. It is not [illegible] a difference.

Mr. SAUNDERS. We [illegible] a big public duty, I think, is inadequate. Now, you say you have a law here—and I was very much astonished to hear you state out of your own [illegible] I have been reading of primary elections in New York and the great struggle

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of the reformers in New York for a direct primary law; then I admit that it was a surprise to me yesterday to hear you say that you had a primary law but no primary election. So far as the opportunities that law can give, they are here, are they not?

Mr. MENKEN. I think the law is sufficient; yes, sir.

Mr. SAUNDERS. The law is sufficient?

Mr. MENKEN. Yes.

Mr. SAUNDERS. You have an adequate system of courts?

Mr. MENKEN. We have an effective and wise system of courts.

Mr. SAUNDERS. You have an effective and wise system of courts and you have a law that in itself is adequate, and yet the men who have these views or vision in the State of New York are not able through this method of popular election to have themselves selected or cause others to be selected to give you an adequate local administration? Is that the picture that you present?

Mr. MENKEN. Adequate local—you mean city administration?

Mr. SAUNDERS. Yes; city administration.

Mr. MENKEN. That certainly was the result of the last election.

Mr. SAUNDERS. Well, State administration. Take any of your administrations?

Mr. MENKEN. The primary law has been a failure.

Mr. SAUNDERS. The primary law has been a failure, and that is not due to any inherent defects in the primary law, as I understand you to say, or in the courts to administer it?

Mr. MENKEN. I should not attribute any defect in the law to the administration of the courts.

Mr. SAUNDERS. Are there many citizens, Mr. Menken, about the city of New York that hold the same views that you do with respect to your local representatives and the failure of your local administration?

Mr. MENKEN. A great many; yes, sir.

Mr. SAUNDERS. Can't you do anything at all about it?

Mr. MENKEN. We do every now and then. We get indignant and get up and organize committees and we elect an independent mayor, and then we drift back into the old situation.

Mr. SAUNDERS. Then these imbecile and indifferent people reject them?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. They have an opportunity to do better things, and then your imbecile and indifferent people——

Mr. MENKEN (interposing). I don't use the word "imbecile." It is indifference.

Mr. SAUNDERS. Well, indifference. As I said a moment ago, I think a man who is indifferent to the highest duty that confronts him is an imbecile. I will take that phrase. And the people that you call indifferent, simply, with an opportunity for better things, reject them?

Mr. MENKEN. They neglect politics. Politics in New York have become matters that the average citizen don't give the attention to that they might, and which the duties of citizenship require that they give.

Mr. SAUNDERS. The situation then with respect to failure of popular government seems to be more acute here in New York, the home of your league, than in any other portion of the United States?

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Mr. MENKEN. The situation is certainly acute in New York. I don't pretend to speak of the whole country.

Mr. SAUNDERS. You said on yesterday, Mr. Menken, that under Mr. Dent's administration nothing could be done in Congress with respect to military matters save by dictation.

Mr. MENKEN. Mr. Who?

Mr. SAUNDERS. Mr. Dent—since Mr. Dent was chairman of the committee.

Mr. MENKEN. Oh, yes.

Mr. SAUNDERS. What, precisely, Mr. Menken, do you mean by that?

Mr. MENKEN. Why, I mean to say this, that Congress lagged in pressing the bills. They did not come to an agreement. They were in a condition of controversy as to the adjustment of the details of the legislation, so much so that it was only when Mr. Wilson made the issue perfectly clear that national safety required immediate action, and developed a situation that was so grave that we in the Security League felt it necessary to buy full pages in the great newspapers to urge citizens to send in telegrams and messages to Congress, that anything was done. I refer to attacks we had to make on Congress in that nature [exhibiting paper].

Mr. SAUNDERS. I remember those charts very well.

Mr. MENKEN. That is not a chart. That is an advertisement.

Mr. SAUNDERS. Well, I speak of them in the course of this inquiry as charts. They were circulated with a specific purpose in view, and they used all the tricks that you complained so grievously of Mr. Hearst on yesterday, namely, exaggerated and italicised headlines.

Mr. MENKEN. We did not use any tricks, and we did not use any headlines; we simply said that Mr. Wilson's war methods would be hollow words unless America acts through Congress. That is all we said.

Mr. SAUNDERS. But I see some very large headlines in your bulletin or chart or whatever you call it.

Mr. MENKEN. Yes; but I object to the use of the word "tricks."

Mr. SAUNDERS. Well, the use of those things are generally spoken of as tricks of the printer's trade.

Now, will you tell me one of the bills that was lagging under Mr. Dent's administration for which he was responsible?

Mr. MENKEN. The Army bill of the Sixty-fourth Congress.

Mr. SAUNDERS. You refer to the bill that includes the draft?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS Now, that gets us to a very specific proposition. Tell me how, for what length of time, and in what way did Mr. Dent cause that bill to drag?

Mr. MENKEN. The fact about the matter was that the experts in Army affairs recognized that partial defense for the United States and partial preparedness for the United States was no denfense; that partial——

Mr. SAUNDERS (interposing). We are dealing now with Mr. Dent.

Mr. MENKEN. Yes; I am coming to Mr. Dent—that partial measures were an absolute waste of money. Congress began by increasing the Army from 95,000 to 140,000.

Mr. SAUNDERS. That wasn't done by Mr. Dent.

Mr. MENKEN. I understand—under Mr. Hay.

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Mr. SAUNDERS. I am dealing now with Mr. Dent. I will take up Mr. Hay later. I just want you to get specific matters in support of your contentions and your charges.

Mr. MENKEN. When war was declared the matter of the equipment of the Army dragged day after day, week after week, month after month. I can not tell you the calendar, but I am giving you my impression—and not getting down to exact details—so much so that we felt that after waiting for six or seven weeks after war was declared and no bill was passed, nothing had been enacted, we were in a condition of legislative unpreparedness, because Mr. Dent had this view and that view, and finally the President in desperation sent for Mr. Kahn, of California, and said, "You pass this bill; you have got the power; you can speak for it," and finally Mr. Kahn did it and the President ultimately recognized Mr. Kahn's service in getting the bill through, and Mr. Dent would not and did not, and has acknowledged it to him personally.

Mr. SAUNDERS. Why, Mr. Menken, nothing of that sort ever occurred.

Mr. MENKEN. I got it from Mr. Kahn personally.

Mr. SAUNDERS. Well, I don't imagine that Mr. Kahn made the statement in connection with that bill, that the President sent to him to handle it.

Mr. MENKEN. He certainly did, and Mr. Kahn put the bill through.

Mr. SAUNDERS. Now, let me call attention to a few facts. Mr. Kahn did not put the bill through and was never in charge of it, and the gentlemen on both sides of the political house here, of the committee, can very readily correct me if I am mistaken about that. The bill that was reported from Mr. Dent's committee was reported by a full and unanimous committe, wasn't it?

Mr. MENKEN. I don't know what the vote was.

Mr. SAUNDERS. With the reservation of the right to offer amendments. In what way, while that bill was in Mr. Dent's committee, was Mr. Dent delaying action, and how long did it stay in his committee after the first draft of it was received from the War Department?

Mr. MENKEN. I didn't run a time-table on Mr. Dent.

Mr. SAUNDERS. But that is very important, when you charge that things have to be done by dictation. I want to see what pressure of dictation had to be brought upon Mr. Dent.

Mr. MENKEN. The President had to send his message to Congress urging speed.

Mr. SAUNDERS. Have you that message?

Mr. MENKEN. I haven't got it right where I can lay my hands on it. I have got an excerpt from it.

Mr. SAUNDERS. Now, here is what I called for, that in connection with the Army bill, reported from the committee of which Mr. Dent was chairman, the President had to send a message to Congress urging speed. I ask you to file such a message as that with your testimony.

Mr. MENKEN. All right, sir.

Mr. SAUNDERS. When was war declared?

Mr. MENKEN. In April, 1917.

Mr. SAUNDERS. When was that bill passed?

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Mr. MENKEN. Around the 1st of June or the end of May. That is my recollection.

Mr. SAUNDERS. When did it pass the House?

Mr. MENKEN. I can't tell you that.

Mr. SAUNDERS. Then there couldn't have been months and months and months of waiting in the House.

Mr. MENKEN. I said days and days and week and weeks.

Mr. SAUNDERS. And months and months.

Mr. MENKEN. Two months.

Mr. SAUNDERS. You state that there were two months of waiting in the House on that bill?

Mr. MENKEN. The total period after war elapsed.

Mr. SAUNDERS. But there is a Senate down there that takes its time about measures. We are just talking about Mr. Dent.

Mr. MENKEN. Not with Senator Chamberlain in charge of the Army bill.

Mr. SAUNDERS. I am not talking about Senator Chamberlain. He is not the Senate.

Mr. MENKEN. He is chairman of that committee, though.

Mr. SAUNDERS. That is true, he is chairman of the committee, and I don't recall that he was any more expeditious than Mr. Dent in disposing of his bill. I am trying to get you to state how much Mr. Dent in the House delayed the passage of this bill, and how much the House delayed the passage of it. In other words, I just want to get the facts.

Mr. MENKEN. I will give you those figures. You see my position is that a wise House committee would have had a bill prepared two years before for this emergency.

Mr. SAUNDERS. That is one of those theorizing answers of yours. I am simply dealing with Mr. Dent. We may have been utterly imbecile, all of us, Democrats and Republicans, but I am just dealing with Mr. Dent now. What dictation had to be set in motion with respect to Mr. Dent, to overcome the delays that he was causing?

Mr. MENKEN. Mr. Dent showed no leadership in favor of aggressive war measures during any of this period.

Mr. SAUNDERS. What particular war measures have you in mind Mr. Dent was cold toward?

Mr. MENKEN. Mr. Dent did not believe in the conscription bill.

Mr. SAUNDERS. That is perfectly true.

Mr. MENKEN. The act.

Mr. SAUNDERS. It was not an act. It never was an act.

Mr. MENKEN. Well, the conscription law.

Mr. SAUNDERS. The conscription amendment.

Mr. MENKEN. The amendment.

Mr. SAUNDERS. That is perfectly true.

Mr. MENKEN. Well, that showed absolute unfitness to occupy the position that he held.

Mr. SAUNDERS. Well, that may be. That is a conclusion. I am asking you for facts.

Mr. MENKEN. That is a fact.

Mr. SAUNDERS. Well, now, has the result of his attitude toward conscription—how much did that delay the passage of the bill?

Mr. MENKEN. I can't tell you.

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Mr. SAUNDERS. But that is the gravamen of your charge.

Mr. MENKEN. Oh, no, it is not. It is his utter unfitness to occupy the position which he occupied by authority of Congress.

Mr. SAUNDERS. No; I am not inquiring about that at all. You said in yesterday that under his administration things had to be done by dictation; I am simply trying to find out what you mean by that and what are the facts.

Mr. MENKEN. What I mean by that?

Mr. SAUNDERS. I believe you said that you support that charge?

Mr. MENKEN. Yes; I support it in this sense——

Mr. SAUNDERS (interposing). Let us have your support of that, not your view of Mr. Dent as being unfit.

Mr. MENKEN. That is a very important element.

Mr. SAUNDERS. Mr. Dent seems to be very acceptable to the President in his administration of the Committee on Military Affairs. He was certified as such in a letter that the President wrote in the campaign.

Mr. MENKEN. It is simply this: That when it came to getting the legislation through for the effective conduct of the war, for the Army and Navy, the espionage bill, the general appropriation bills, each bill had to be—was accelerated by the direct personal appeal of the President to Congress in messages.

Mr. SAUNDERS. Tell me with respect to the Army bill, which Mr. Hay handled—and he don't handle espionage bills—what action the President took to accelerate the passage of that bill in the House, or what complaint he expressed of delay in the House? Now, that is a specific question.

Mr. MENKEN. Mr. Wilson necessarily was too tactful to make it a matter of complaint. He had too much pride in the Government to do that.

Mr. SAUNDERS. What did he do?

Mr. MENKEN. He sent his messages to Congress.

Mr. SAUNDERS. Have you those messages with respect to the Army bill?

Mr. MENKEN. I have told you; you asked me that question before, and I said we will have to give you those messages later.

Mr. SAUNDERS. With respect now to the Dent Army bill. Now, Mr. Dent has handled all of the Army bills since he has been chairman down to the present time. He is handling one of them now. Will you tell me with respect to the other bills and the other features of the Army bill that Mr. Dent was at variance with the administration about?

Mr. MENKEN. My criticism of Mr. Dent is based upon his general incapacity, not upon his relations.

Mr. SAUNDERS. Your judgment of Mr. Dent's incapacity, that is not a matter of fact; that is your opinion. I am not questioning your right to hold that opinion. The fact that Congress don't agree with you, and that other men equally as intelligent as yourself don't agree with you, is neither here nor there. They have a right to their opinion, and you have a right to yours, but you make specific charges of fact, and it is with them that I am dealing. With respect to what other matters of legislation since the war began, that Mr. Dent has had charge of, has he been at variance with the President, save in the matter of conscription?

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Mr. MENKEN. That is enough.

Mr. SAUNDERS. That may be enough.

Mr. MENKEN. That is the corner stone of our entire system.

Mr. SAUNDERS. That may or not be. Of course, I differ with y entirely about that personally. But that is neither here nor the Is that what you stand on?

Mr. MENKEN. I will stand on that; yes.

Mr. SAUNDERS. Your charges against Mr. Dent——

Mr. MENKEN (interposing). And his lack of understanding our military history.

Mr. SAUNDERS. Well, but that is not involved in the answe it is not involved in your statement of yesterday. Now, have come to this—and I simply want to get your attitude about it, a if you can support your statements with facts, support them— yesterday you stated that under Mr. Dent's administration nothi could be done with respect to the conduct of the war in the Ho except by dictation, and in endeavoring to have you give the fa upon which you support such a sweeping statement as that y finally say that you are satisfied to call attention to the fact t he did not agree with the President on conscription.

Mr. MENKIN. No; I think——

Mr. SAUNDERS (interposing). If you wish to go further I w ask you to put in further facts.

Mr. MENKEN. I shall try to specify it when I get the message you. I think you will find that throughout there was a lack of visi on the part of Mr. Dent as to the military needs of this country, a that it was only on the repeated urgings of the President and t heads of the administration departments that Mr. Dent was brou around to follow what was deemed necessary by the President a the Secretary of War to constitute our Army force.

Mr. SAUNDERS. Very well. Now, I will ask you to put in the e dence in support of the statement you have just made.

Now, you seem to think that after Mr. Baker got in, things w better. He seemed to have a little more vision. Will you tell anything that Mr. Baker did from the time that he has been Sec tary to the present time, with respect to war legislation that did have Mr. Dent's cooperation and support save in the matter of c scription?

Mr. MENKEN. I claim that is the corner stone, conscription.

Mr. SAUNDERS. I understand all that, but I want something e A house has more than one corner stone you know. A structure more than one corner stone. I want to ascertain if you can furn any other corner stones.

Mr. MENKEN. I don't know any differences between Mr. Baker a Mr. Dent—or if there were any.

Mr. SAUNDERS. So you are not able to adduce any measures w respect to which Mr. Dent was not in harmony with Mr. Baker, s this detail of conscription?

Mr. MENKEN. It is not a detail; it is fundamental.

Mr. SAUNDERS. Well, call it fundamental. Detail is my word, yours. You can't furnish any other?

Mr. MENKEN. Not at the present time.

Mr. SAUNDERS. Do you know how that conscription matter ca up?

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Mr. MENKEN. My impression is it came up as an amendment to the Army bill.

Mr. SAUNDERS. Do you know how long that delayed the passage of the Army bill?

Mr. MENKEN. I couldn't tell you.

Mr. SAUNDERS. Well, I will tell you. Then we will see whether that involved any grievous delay. The bill came in from the committee—the bill practically as it is now—without the conscription provision. Mr. Kahn offered the conscription amendment on the floor, and he had charge of that and conferred with the President in relation to the conscription amendment. That was debated a few hours and then was passed. I am not certain as to the time, possibly about six hours.

Mr. Reavis, do you recollect exactly?

Mr. REAVIS. About six hours.

Mr. SAUNDERS. About six hours it was debated and then it was passed. Do you think that was an unreasonable time to devote to the consideration of as fundamental a proposition as conscription, having in mind that some of the greatest intellectual lights—the supermen—that this country produced, regarded conscription as unconstitutional? Now, I am not raising any question between us as to whether you think conscription is rash and I think it was unnecessary, or any detail of that sort; but having in mind the history of conscription in this country, do you think a debate of six hours over that was an unreasonable debate, even with your views upon Congress?

Mr. MENKEN. I think a delay of two months in the passage of that bill, or six or seven weeks——

Mr. SAUNDERS (interposing). You are not answering my question at all. I am just trying to find out what Mr. Dent did.

Mr. MENKEN. I think a specific debate of six hours, or even six days, on a measure of that kind was a perfectly fair appropriation of time.

Mr. SAUNDERS. Mr. Dent then seems to have been, in common with a number of other people and patriotic men, of the opinion that it was not necessary to have a conscription provision in the Army bill. The bill came into the House; it was debated about six hours. Mr. Dent took part in that debate, I think—spoke about half an hour—then voted against the conscription amendment, and then, like the rest of us, accepted the action of our body as final, and then gave his loyal support to the balance of the bill and handled it to final passage. Mr. Kahn's leadership with respect to the bill ceased with the Kahn amendment. Now, upon that recital of facts, do you think that justifies your statement that under Mr. Dent's administration of the Military Affairs Committee nothing could be done in aid of necessary military legislation except by dictation?

Mr. MENKEN. Yes; I certainly think it does.

Mr. SAUNDERS. The fact that he was against the conscription amendment establishes your assertion that under Mr. Dent's administration of the Military Affairs Committee nothing could be done except by dictation?

Mr. MENKEN. I will tell you why if you want me to.

Mr. SAUNDERS. Well, you think that supports your statement of yesterday?

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Mr. MENKEN. Because the whole military history of this country, from the Revolution down, showed that it would be absolutely impossible to fight a war without conscription.

Mr. SAUNDERS. Well, we will admit that Mr. Dent was wrong on that, if that does you any good, and that he voted wrong; but I am asking you if the mere fact that he was wrong on one element of the bill, to which six hours' debate was devoted, and one which passed into things of the past, justifies your assertion that, as the head of the Military Affairs Committee, nothing could be done to secure the legislation that Mr. Wilson wanted except by dictation? If you think that fact establishes that contention yourself, we will pass on.

Mr. MENKEN. I certainly do.

Mr. SAUNDERS. Very well; if you think you have maintained your charge against Mr. Dent by the citation of his vote on conscription, having in mind the great number—how many bills in aid of the prosecution of the war have been passed since that time which came out of the Military Affairs Committee?

Mr. MENKEN. I couldn't tell you.

Mr. SAUNDERS. You don't know anything about the general administration?

Mr. MENKEN. I couldn't tell you; no.

Mr. SAUNDERS. Do you know anything about the attitude of the President with respect to the handling of the administration bills by Mr. Dent?

Mr. MENKEN. No; I do not.

Mr. SAUNDERS. Who brought this dictation to bear upon him, then, if he was in harmony with the President, save on the matter of conscription?

Mr. MENKEN. It was the President's pressure on Congress that got the Army bill.

Mr. SAUNDERS. You have just stated——

Mr. MENKEN (interposing). Excuse me; you asked me a question and I was trying to answer it.

Mr. SAUNDERS. Certainly.

Mr. MENKEN. It was the President's pressure on Congress that made possible the enactment of the Army bill and the Navy bill and the other war measures. The same way with the declaration of war. To a large degree, Congressmen followed the President, because he spoke upon it. Many of them differed with him.

Mr. SAUNDERS. I think you said yesterday that the President was wrong, in substance, wrong for quite a while, but was clever enough to get right a little ahead of the rest of us.

Mr. MENKEN. I said the President didn't see that America would be embroiled in the European war and didn't recognize the necessity of preparedness for over a year after the war began in Europe, and that he was about a year ahead of Congress.

Mr. SAUNDERS. Since that time, I say, he saw the light a little sooner than we?

Mr. MENKEN. A year ahead of Congress, at least.

Mr. SAUNDERS. He saw it a year ahead of us. Since that time he has prosecuted the war, I presume, according to the satisfaction of the Security League?

Mr. MENKEN. I didn't know whether that was an issue here, sir.

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Mr. SAUNDERS. Well, I asked you.

Mr. MENKEN. I haven't consulted the Security League about that.

Mr. SAUNDERS. Well, according to your own notions. We have been discussing things very freely—public men, public policies, and Congress. I presume from what you said in relation to the President that his conduct of the war has met your wishes?

Mr. MENKEN. I don't know that I expressed any opinion.

Mr. SAUNDERS. I said that I don't understand that you expressed an opinion. Will you express an opinion?

Mr. MENKEN. I would rather not.

Mr. SAUNDERS. You prefer not to say whether the President has conducted this war as it should have been conducted?

Mr. MENKEN. I would.

Mr. SAUNDERS. At any rate, he has done many things in connection with the prosecution of the war that you approve?

Mr. MENKEN. He has done a great many splendid things, sir.

Mr. SAUNDERS. He has done very many splendid things, and the legislation that Congress has afforded has enabled those splendid things to be done, has it not?

Mr. MENKEN. It certainly has, sir. The bills passed were magnificent.

Mr. SAUNDERS. We are entitled to the same credit for seeing the light as the President, I suppose?

Mr. MENKEN. Yes, sir; and the Security League, as I said yesterday, took great pains to declare that fact throughout the Nation, and tried to get all the applause for Congress possible.

Mr. SAUNDERS. I understand now that your Security League circulated a chart which was designed, apparently, to defeat a large proportion of those men that you say had done splendidly.

Mr. MENKEN. I don't think that was the design of that chart.

Mr. SAUNDERS. Well now, Mr. Menken, you are talking about the delays of Congress. Do you remember that bill making appropriations for the airplanes?

Mr. MENKEN. There were several bills.

Mr. SAUNDERS. The main bill.

Mr. MENKEN. You mean the billion dollar bill?

Mr. SAUNDERS. Yes: call it the billion dollar bill.

Mr. MENKEN. I have a recollection of that, among other things, in a general way.

Mr. SAUNDERS. Do you remember how long it took Mr. Dent to have that passed?

Mr. MENKEN. I do not.

Mr. SAUNDERS. You are not in a position to say whether that had to be driven over him by dictation?

Mr. MENKEN. I think it was an administration measure suggested by the President or his secretaries.

Mr. SAUNDERS. Well, all of these Army and Navy bills are administration measures?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. And financial bills for that matter. Mr. Menken, would you mind telling me how you think the military and naval policy of the country ought to be established, as briefly as you can? I don't want to have any general debate between you and myself.

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Mr. MENKEN. I think it ought to be established by a commission of experts, on which commission there should be representatives of both Houses of Congress, and that it should be based upon universal military service.

Mr. SAUNDERS. With respect to how large an Army we ought to have, for instance, how would you determine that? Would you have Congress do anything with respect to determining that?

Mr. MENKEN. You mean at the present time?

Mr. SAUNDERS. At any time.

Mr. MENKEN. I should take the advice of the experts who have served the Nation, and be guided by them.

Mr. SAUNDERS. Well, we Members of Congress undertake to serve the Nation.

Mr. MENKEN. Yes; but you are not all expert on military affairs, sir.

Mr. SAUNDERS. Well, possibly not. You would have Congress, then, to advise with these military experts to formulate for the country the Army of proper size?

Mr. MENKEN. Yes.

Mr. SAUNDERS. And then Congress should accept that recommendation?

Mr. MENKEN. They should not do as Mr. Hay did.

Mr. SAUNDERS. No. Now, just let me—I ask you, should Congress accept that recommendation? That is all I am asking.

Mr. MENKEN. If it were made by men upon whose patriotism and judgment they can rely, yes.

Mr. SAUNDERS. Well, I have predicated that we were to appoint this committee of experts that you speak of. How would you have them appointed as a part of your scheme?

Mr. MENKEN. I should leave it to the President.

Mr. SAUNDERS. You would leave it to the President? Then your theory for the establishment of a permanent military defense of this country would be to authorize the President to appoint a commission of experts, and have those experts to report a military system?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Both for the Army and Navy?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Then when that came before the Senate and the House, we should accept it?

Mr. MENKEN. Well, of course, you are not there to act on the opinions of any expert, necessarily; but it should be received with reverence and respect, and the moderate recommendations of those men should be followed.

Mr. SAUNDERS. Hardly reverence—with respect, I would say. But what I am trying to get at is when these experts that you have in mind, selected as you have indicated they should be selected, make a report, should we undertake to question it?

Mr. MENKEN. Well, of course that is your privilege.

Mr. SAUNDERS. I am not speaking of privilege. When we exercise——

Mr. MENKEN (interposing). And your duty.

Mr. SAUNDERS. Should we do it or should we accept their recommendation?

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Mr. MENKEN. I should accept their—you should question, but ques-on in a spirit of reverence and respect, that the intelligent man ways gives to the expert, the respect that a man gives to his physi-an or should give to his lawyer when he consults him.

Mr. SAUNDERS. Well, I am prepared to receive the opinion of the xperts in that fashion, but suppose, after approaching it in that iew, the majority of Congress are satisfied that the policy recom-ended by this commission, so constituted, is not the proper policy or the country; what ought such a Congress to do?

Mr. MENKEN. It is their duty to reject it.

Mr. SAUNDERS. Then, if we reject it though, we are to be attacked on the ground that we have with knowledge rejected the recommen-dations of the experts?

Mr. MENKEN. You see, we paid pretty dearly for the rejection by Congress of the recommendations of the experts in the past, so you can't object to people criticising you for doing in the future——

Mr. SAUNDERS (interposing). I don't object to criticism, not at all. I am ready all the time to stand on the record of my votes.

Mr. MENKEN. I remember what Mr. Hay said to Gen. Wither-spoon——

Mr. SAUNDERS (interposing). No, I don't remember about that, but what I am trying to get at is, do you agree that Congress should re-ject the recommendations of the experts or that Congress should re-ceive it as something which should not be tampered with?

Mr. MENKEN. I believe that Congress should exercise its full con-stitutional power and duty as representatives of the people, to do more in the way of government, rather than less.

Mr. SAUNDERS. And if it differed with the recommendation of these experts, reject it?

Mr. MENKEN. Yes, with a reservatiion to the people to reject the Congressmen if they differ with the Congressmen.

Mr. SAUNDERS. Oh, absolutely. But now, Mr. Menken, this is all that Congress has been doing all the time. We consider——

Mr. MENKEN. That is the beauty of it.

Mr. SAUNDERS. Yes; but you tell me that that is the proper thing to do, to consider these recommendations and if we are satisfied they are not a wise policy, to reject them.

Mr. MENKEN. True. But if you find a man so lacking in fore-sight and vision as to reject the words of wisdom from the expert time after time, and then if you find that the expert was proven right and that the country lost in men, in money, and got into a great war because Congress did reject the advice of those experts, then I sub-mit, sir, with the greatest reverence, that the criticism is more than justified. Mr. Hay——

Mr. SAUNDERS (interposing). Then your conclusion is that while theoretically we have the power to reject these things that practi-cally speaking we ought not to do it?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. Because these recommendations embody a superior knowledge on the part of the people making them, and therefore knowledge to which we ought to defer?

Mr. MENKEN. Not at all

Mr. SAUNDERS. Isn't that the attitude?

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Mr. MENKEN. No, sir; not at all. My distinction rests upon the wisdom, or the unwisdom, used by Congress in rejecting the advice of the experts in the Army and Navy, and I maintain that the predicament the United States found itself in at the outbreak of this war was due to the continuance of unwisdom in ignoring the advice of the greatest experts that this country could develop.

Mr. SAUNDERS. Your idea is that really, upon the whole, we had better take that judgment?

Mr. MENKEN. I think you had better take the judgment, unless you have proof positive that they are wrong. What is the use of Government supporting and maintaining them otherwise?

Mr. SAUNDERS. How can you have proof positive of a thing which is a matter of the future, a matter of policy?

Mr. MENKEN. Well, how can you have proof positive?

Mr. SAUNDERS. No; a thing that deals with the future?

Mr. MENKEN. That is necessarily a matter of judgment, it is true, but statesmen are men who have foresight and vision, and you gentlemen occupy that position.

Mr. SAUNDERS. I will ask you, then, we have got some practical propositions coming along right now.

Mr. MENKEN. You are making me talk on a great many extraneous matters, Mr. Congressman.

Mr SAUNDERS. Well, it is brought in by your volunteering yesterday to get outside of the record.

Mr. MENKEN. I am very modest about these things, and I hate to volunteer.

Mr. SAUNDERS. You were making a sweeping attack about matters of fact, and I was trying to get a few facts put into the record in support of those statements.

Now, having in mind what you just stated, we have got a question coming along right now, should we have the second navy in the world, or the greatest navy in the world? Now, there is a proposition that we have got to deal with. What ought we to have?

Mr. MENKEN. I believe there is such a fundamental basis of understanding between the English-speaking nations that all that is necessary for us is to have a navy which, combined with Great Britain's, will be greater than any two-power navy in the world.

Mr. SAUNDERS. Well, that is a specific proposition.

Mr. REAVIS. May I ask you to repeat the latter part of that?

Mr. MENKEN. A navy which, combined with Great Britain, will be greater than any two-power navy in the world.

Mr. REAVIS. You limit it to two-power?

Mr. MENKEN. And I want to say this, that I believe expenditures for Army and Navy are to a large degree industrial waste, and that they should be cut down as far as possible by agreements between nations. The world hasn't any time or any money or any effort to waste in the pomp and show of war, either on land or sea; and that our objective should be to get all the nations of the world to reduce their armaments.

Mr. SAUNDERS. I agree with you. I was holding that view, I imagine, long before you were.

Mr. MENKEN. That should be our objective, to cut down all the fighting forces of the world. It is a waste of industrial effort.

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Mr. SAUNDERS. Then the distinctive proposition you make is with respect to Navy, that all the Navy we need is such a Navy that plus the navy of Great Britain we will have a Navy equal to any other two powers in the world?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Then we don't need much addition to our Navy at the present time?

Mr. MENKEN. I have regarded with a great deal of doubt the recommendations made. I would like to hear—I haven't been in touch with this situation—the argument in support of Mr. Daniels's contention for the biggest navy in the world. It did not appeal to me particularly, but his actions of late have been very progressive. Perhaps he knows better than we.

Mr. SAUNDERS. On the question of the biggest navy in the world, do we need any addition to the Navy, having in mind the standard? As soon as you get a standard it is easy to add to our national policy. Having that in mind, all of this talk about a bigger Navy or the Daniels program is futile, isn't it? I just want to get your opinion.

Mr. MENKEN. It is a question for the experts.

Mr. SAUNDERS. Well, but you have given me the standard. You didn't call on the experts to announce that.

Mr. MENKEN. Yes; I have given you my idea.

Mr. SAUNDERS. You gave me the standard. Now, when you adopt the standard, you can logically argue out from it. If your standard is sound—and I agree with your standard—I agree to your standard——

Mr. MENKEN (interposing). I am glad we agree on one thing, sir.

Mr. SAUNDERS. Well, you will find that when we can get down to facts, probably there will be more than one thing that we agree on. A good deal of this has been rather nebulous; a good deal has been charges that you have not been able to support by your citations of fact. Now, agreeing as to standards, isn't it absolutely true that this talk about a navy that should be as big a navy as any in the world is almost criminal?

Mr. MENKEN. I want to say this: I don't know whether the war is really over or not. Sometimes I have my reservations on that subject but I think we want to be very careful how we spend the people's money, either on navies or armies in the future.

Mr. SAUNDERS. In other words, the time has arrived for retrenchment in this gigantic naval program?

Mr. MENKEN. No; I shouldn't say necessarily retrenchment, but very careful consideration and observation about adopting a national policy.

Mr. SAUNDERS. Why not retrenchment? Stick to the standard now. Having in mind that your standard is right, let us go now to the logical issue.

Mr. MENKEN. Well, I would rather be guided by a man of the great wisdom of Franklin D. Roosevelt, and get his view on it, see his reasons, if he has approved of his chief's recommendation, before I committed myself to it. I give you my general impress.

Mr. SAUNDERS. In other words, although you have fixed your standard very definitely, if Franklin D. Roosevelt or somebody else that you put in his class tells you we need the biggest navy in the world, you will abandon the standard?

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Mr. MENKEN. I should have great reverence for his opinion. I am giving you not my standard but my ideal.

Mr. SAUNDERS. But you differed from these people now. You don't feel that you ought to be assailed now as a renegade to national preparedness because you think that the Navy of the United States ought to be only such a navy as that added to that of Great Britain would be equal to any two other nations, do you?

Mr. MENKEN. That question has not bothered me, whether I should be assailed or not.

Mr. SAUNDERS You don't feel that, holding that patriotic attitude, you ought to be assailed in the venomous fashion that you have assailed people who have differed from you?

Mr. MENKEN. I don't assail people who differ with me, and I don't question their patriotism. I only question their judgment.

Mr. SAUNDERS. Let us see if you don't assail people. Mr. Clark, Speaker of the House of Representatives, is a national figure. He is a man of the very highest character; he is a man of the first order of ability; he is a man that has in equal regard the esteem and confidence in the highest degree of both sides of the National Chamber, Republican and Democratic. I don't know that the Democrats hold him in any higher esteem than his Republican colleagues, yet on yesterday you spoke of him as a renegade on the subject of national preparedness.

Mr. MENKEN. I am afraid—I don't think it is quite fair to discuss Mr. Clark or to put me in the position——

Mr. SAUNDERS (interposing). You volunteered that with respect to Mr. Clark.

Mr. MENKEN. I am of the opinion—I believe I should differ with you on your standardization of Mr. Clark in almost every particular.

Mr. SAUNDERS. That may be. I have colleagues on the committee here, I think, that will agree with me that I have not overstated the case with respect to Mr. Clark, and they are on the other side of the political house.

Mr. MENKEN. Well, you gentlemen get blind to other things and we do not.

Mr. SAUNDERS. We may be.

Mr. MENKEN. I don't agree with you about Mr. Clark. I think he is a very great reactionary in connection with the reconstruction of America. I think he has been unsound on every issue. I think he is the type of man who is not conducive to effective government and national upbuilding in any sense.

Mr. SAUNDERS. Well, that may be your judgment of Mr. Clark.

Mr. MENKEN. And he may be a very delightful, charming, patriotic, well-intentioned man in spite of that fact. I don't reflect on his personal character in the least.

Mr. SAUNDERS. Let us take up a little further that matter of Mr. Clark. You continue to characterize him in that very vehement fashion. Your organization issued a chart with respect to which they wish to advise the public in the elections that have just taken place, as to the attitude of their public men on the subject of preparedness. Now, looking to Missouri I find here that Mr. Clark, this great reactionary that you speak of, voted, according to your judgment, six times right out of eight.

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Mr. MENKEN. Shouldn't a Congressman be always right?

Mr. SAUNDERS. That depends upon the standards.

Mr. MENKEN. We have only one standard of perfection for our representatives.

Mr. SAUNDERS. That depends upon what the standard is. According to your standard of what the Navy of the United States should be, what should be the standard for the Congressmen in that respect?

Mr. MENKEN. I don't get the point, sir.

Mr. SAUNDERS. The point is just this: That depends upon who fixes the standard.

Mr. MENKEN. That is true.

Mr. SAUNDERS. Now you have fixed a standard here for Mr. Clark and for the rest of us, and Mr. Clark is six times right and only twice wrong. Do you think you have made out a case against him to justify these charges?

Mr. MENKEN. I didn't fix any standard for Mr. Clark.

Mr. SAUNDERS. Your league did.

Mr. MENKEN. The league merely made a record of the votes on certain measures and motions, and compiled them.

Mr. SAUNDERS. Yes.

Mr. MENKEN. I think that is a fair statement of what they did.

Mr. SAUNDERS. Yes: that is what they did, and according to that record, Mr. Clark on the preparedness measures was six times right out of eight.

Mr. MENKEN. Why wasn't he right all the time?

Mr. SAUNDERS. And that doesn't include the hundreds of other votes in that connection that your society hasn't undertaken to disseminate at all.

Mr. MENKEN. I don't doubt but what he votes right on hundreds of bills. I don't question it at all. It is the general attitude and mental quality of the man that——

Mr. SAUNDERS (interposing). How do you derive, with respect to public men, their general attitude, except their voting when are called upon to deal with public question, and go upon record in respect to them?

Mr. MENKEN. By the vision they show.

Mr. SAUNDERS. Their votes show their vision.

Mr. MENKEN. And by their independent expressions of fundamental ideas of governmental policies.

Mr. SAUNDERS. The fundamental ideas of governmental policies are presented in concrete form in legislation, and your votes upon them are the very best evidence you can afford of your personal attitude.

Mr. MENKEN. What were the two he voted wrong on?

Mr. SAUNDERS. Conscription, I know, was one, without looking at it, and the other is No. 5. The other was the motion No. 5, to recommit the naval appropriation bill.

Mr. MENKEN. Well, the conscription is enough for me. If I recollect correctly Mr. Clark was a free-silverite.

Mr. SAUNDERS. Oh, you are getting a long ways back, Mr. Menken.

Mr. MENKEN. But it is fundamental. He was a Bryan man, and generally associated with the loose wits in connection with Governments.

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Mr. SAUNDERS. Do you think you as a witness are called upon to speak of Mr. Clark as a loose wit?

Mr. MENKEN. I didn't say he was. I said he was associated with men like Bryan.

Mr. SAUNDERS. Well, you said he was——

Mr. MENKEN (interposing). Associated with the loose wits.

Mr. SAUNDERS. You said he was doing as they did. Now, one of your associates in this matter, in speaking of the McLemore resolution, seemed to think that was one of the most acid of all the acid tests.

Mr. MENKEN. Yes; I heard him testify.

Mr. SAUNDERS. Do you agree with him about that?

Mr. MENKEN. I do.

Mr. SAUNDERS. And yet the man that you have been praising—I am not raising any issue over that so much this morning—Mr. Kahn voted wrong on the McLemore resolution. Is he anathema marenetha of your league?

Mr. MENKEN. No.

Mr. SAUNDERS. It depends very much, then, whether the man in his voting votes according to the standards that your society has fixed as to whether he is a patriotic or unpatriotic man?

Mr. MENKEN. Now, I differ with you entirely, and we have all said so repeatedly, but you persist in putting that question. We do not reflect at all upon the patriotism of a single Member of Congress, except, perhaps, a man like Mr. Berger or La Follette; and it is not a question of patriotism; it is a question of vision and statesmanship that we refer to.

Mr. SAUNDERS. Mr. Kahn was badly lacking in vision in that vote, wasn't he?

Mr. MENKEN. I think he erred in that vote.

Mr. SAUNDERS. I want to ask you a little further about Mr. Hay, Mr. Menken. I have been handed a speech of yours in which you speak of the Hay bill as "redolent with the treasonable injection of pork." That is a fairly lurid phrase.

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Will you tell me what was the pork in the Hay bill?

Mr. MENKEN. What was that; in the 1916 speech? The pork in the Hay bill was simply this—and I hope you will bear with me while I preface it.

Mr. JOHNSON. It was January, 1917.

Mr. MENKEN. The history of the Army of the United States showed that in the Revolution we had 395,000 men to the British 150,000; that in the War of 1812 we had 527,000 men to the British 60,000; that in the Mexican War we had 107,000 men to about 60,000 of the Mexicans; in the Civil War we had two to one; that in each of those wars the failure was not due to the fact that the American was not personally as valiant or courageous as his opponent, but that the volunteer system had destroyed the effectiveness of each and every one of those armies to a degree so that in the War of 1812 we had no victory until the Battle of New Orleans. Mr. Hay, as chairman of the Military Committee, must be presumed to have known the history of this country and the failure of the volunteer system as a means of defense. Mr. Hay proposed the federalization of the

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militia. He proposed, as I recollect it, that the militia, which was then 125,000 men, good, bad, and indifferent—good in some places and bad in others—and I am not distinguishing as to sections of the country—to be increased to 240,000 or 250,000 men—I am speaking by memory—with a reserve of an equal amount, making a force of about five or six hundred thousand. That body was to be under the control of the old military State leaders, the agitants, who were maintaining a lobby in Washington for the purpose of procuring the passage of that bill. It was a matter that was receiving a great deal of support, because there was a great deal of local political influence behind the appeal of these men. The scientific Army men throughout the country protested against this condition. When Gen. Witherspoon stated that 425,000 men were needed in the Regular Army as a Regular Army force, Mr. Hay said, "The general is nervous and excited." I think I quote his exact words.

Mr. SAUNDERS. Aren't you quoting what the President said about Mr. Gardner?

Mr. MENKEN. No; I am quoting what Mr. Hay said about Gen. Witherspoon. Gen. Wood went to Mr. Hay and made the same appeal for a Regular Army disciplined under a uniform control on a uniform basis. He got nowhere, he got no support, and what was the result? Mr. Hay proposed this makeshift army under 48 State controls instead of a unified force under the direction of one direct commander, such as is made possible in our splendid Army that has been in France. That was the situation with Mr. Hay. Furthermore, Mr. Hay was responsible for the delay in furnishing officers to this country by failure to support Gen. Wood's plans. He turned them down in toto.

Mr. SAUNDERS. Mr. Menken, would it be possible to get to give an answer to a specific question and not discuss at interminable length these questions of policy with respect to which you may have your views.

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Now, I asked you what, in the bills to which I have made reference, was the "treasonable pork" that was injected into it? That was all I asked.

Mr. MENKEN. This distribution of money for the development of a local guard in the different States.

Mr. SAUNDERS. Your answer to that then is that Mr. Hay's bill was full of "treasonable pork" because he provided for a National Guard in the States?

Mr. MENKEN. When the integrity of a nation hangs in the balance.

Mr. SAUNDERS. That is the answer?

Mr. MENKEN. Yes. Any man who provides a false measure of safety is guilty of constructive treason.

Mr. SAUNDERS. That is the treasonable pork that you have reference to?

Mr. MENKEN. Yes; it is.

Mr. SAUNDERS. I will ask you the question I asked Col. Lydecker. In the statements that you make and the charts and bulletins that your league put out, you expect your words to be taken in their common acceptation and usual meaning?

Mr. MENKEN. We certainly do.

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Mr. SAUNDERS. Do you imagine that there is a living man in the United States, not having heard your explanation, who would have construed that language, referring to the Hay bill, as you have construed it before the committee this morning?

Mr. MENKEN. I think that any man who knew the facts——

Mr. SAUNDERS. Well, but most of them would not see the facts as you undertake to give them.

Mr. MENKEN. I think my language is more than temperate.

Mr. SAUNDERS. I didn't ask you that. Your league seems to think that no violence of language on your part is other than temperate, apparently. I didn't even ask you that. I asked you whether, having in mind that you spoke your words to be taken according to their usual intent and common parlance understanding of them, that anyone reading that speech of yours with respect to this Hay bill would have understood it and possibly have understood it in the sense that you have defined it here this morning? Now, do you think so or do you not?

Mr. MENKEN. I was trying to make it stronger rather than weaker.

Mr. SAUNDERS. I don't care how strong you make it. I asked you if any rational man could have interpreted that language as you have interpreted it here this morning.

Mr. MENKEN. Yes, I think anyone would.

Mr. SAUNDERS (reading from Mr. Menken's speech of 1917). You admit this is the language you used, is it Menken?

Heretofore we have placed the blame for our unpreparedness on each political party in turn, yet for over two years while we have been talking, our President has been importuning Congress, and still the net results of his efforts and ours is that we have had the failure of the Hay bill, redolent with the treasonable injection of pork; the Navy bill fairly good in scope and design, but uncertain of execution, and liberal appropriations for fortifications and ammunition.

Mr. MENKEN. Yes; that is my language.

Mr. SAUNDERS Now, Mr. Menken, if the word "pork" in respect to legislation has a very distinctive popular meaning, as used in the newspapers, and the word "treason" is very well understood in common popular appreciation; do you imagine that anyone who has read that speech of yours in which you describe the Hay bill as being filled with "treasonable pork," would have understood you to mean by that that your criticism against it in that respect was on the ground that he provided for a National Guard, when he ought to have provided for another system?

Mr. MENKEN. I would hope that anybody reading it would understand the meaning as referring to a bill which had attempted to provide for a false instead of a real measure of defense, and which had been framed not with a scientific regard for national need, but framed with a particular interest for local consideration, and that the thing was false and treasonable in that it did not serve to give the Nation that protection which the Nation had the right to expect under those conditions.

Mr. SAUNDERS. Wasn't that the bill that the President approved, and that was the bill which caused Mr. Garrison to be separated from the Cabinet, because he wanted something else? He was separated from the public service because he approved something else?

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Mr. MENKEN. I think the President in those days, while he was developing his own views as to military preparedness signed many measures which he would not sign to-day.

Mr. SAUNDERS. But you agreed on yesterday that it was because the President was in accord with Mr. Hay with respect to his views as to a proper army, that Mr. Garrison had to leave the Cabinet.

Mr. MENKEN. Yes; but I didn't agree with the President at that stage of the proceedings.

Mr. SAUNDERS. That is neither here nor there. I am getting at the President's attitude.

Mr. MENKEN. I think the President's attitude was very wrong and unscientific.

Mr. SAUNDERS. The President then, according to that statement, favored a measure that was full of "treasonable pork"?

Mr. MENKEN. Why, he even signed a bill giving Mr. Hay some job in that bill. There was a provision giving Mr. Hay a job as a judge of some kind under the Government, as a bit of solace for his great services, and the bill went through and was signed.

Mr. SAUNDERS. That only gets the President in, in your view, deeper and deeper. You are making him out a worse and worse figure in public life.

Mr. MENKEN. I think there is a great deal to be answered for by the administration, and that the people will make the administration answer for it in connection with the preparation for a war in this country, and the conduct of the war.

Mr. SAUNDERS. That is all right. The question of responsibility and evasion, etc., is another matter. Now, let's get to your attitude. Your present attitude, then, is that the President was assenting to and favoring a bill that was full of "treasonable pork?"

Mr. MENKEN. I think he did when he signed the Hay bill, but he probably had wisdom, thinking it was the most he could get out of Congress, and he took the most he could get.

Mr. SAUNDERS. Well, the President was necessarily peculiarly at fault in this matter, since he ought to have had that knowledge of the national situation that no other man in the United States could have; and still with that opportunity for knowledge you put him in the position of signing and approving a bill full of "treasonable pork."

Mr. MENKEN. That is the irresistible logic of the situation, sir.

Mr. SAUNDERS. And further than that you have put into the record—and not relevant to it—that the President, in addition to approving a bill full of "treasonable pork" as a reward to Mr. Hay, provided him for getting up a bill of that character—provided him with a position in this bill as a judge of some sort?

Mr. MENKEN. I did.

Mr. SAUNDERS. Well, Mr. Menken, I believe I am through.

Mr. WALSH. Mr. Menken, will you give the committee your understanding of the word "bolshevism," or whatever you call it? It has been spelled both ways in your circulars, "bolshevism" or "bolshevikism."

Mr. MENKEN. Bolshevikism. I take it that the bolshevik represents—of course, we all know that the word is of Russian origin. To-day it has been taken to mean the opponents of orderly, constitutional government; of radical social tendencies.

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Mr. WALSH. That is your understanding of the term?

Mr. MENKEN. That is as far as I can go as a lexicographer at the present moment.

Mr. WALSH. And, of course, naturally a man belonging to that cult, or holding those views, would be pleased to hear an indictment of the branch of the Government such as you gave yesterday, would he not?

Mr. MENKEN. I don't think so, if he understood the optimism and faith that I have in the abiding common sense of the American people, and their patriotism.

Mr. WALSH. But, reading your condemnation of Congress as expressed to the committee yesterday, without any provision or evasion, would be pleasing reading to a bolshevik or person who was opposed to orderly government, particularly coming from an official of an organization with purposes such as yours has.

Mr. MENKEN. Yes; but may I say this: I came here to answer questions about the work of the Security League, and you asked me questions about the work of Congress. I was on my oath, and I had to answer the questions as they were put to me.

Mr. WALSH. Yes; and I am not criticising your condemnation of Congress.

Mr. MENKEN. I preferred not to mention them, but you brought the questions out and I had to state the fact, painful though it is.

Mr. WALSH. Certainly. Now, Mr. Menken, you thoroughly approve of all that your organization has done since its foundation?

Mr. MENKEN. In a general way, most heartily.

Mr. WALSH. And you are familiar with most of its activities?

Mr. MENKEN. I am; yes.

Mr. WALSH. Can you state what the National Security League has done in a general way since its foundation to, say, the congressional elections of 1918?

Mr. MENKEN. I can, sir.

Mr. WALSH. Will you state that with which you are familiar or of which you have some knowledge?

Mr. MENKEN. May I refer to notes?

Mr. WALSH. Yes, sir; I have no objection.

Mr. MENKEN. The league was organized on December 1, 1914, at the Hotel Belmont, pursuant to the call to form a committee to advocate an inquiry under congressional authority as to the condition of our Army and Navy and national defenses, to the end that the people of the United States may know the exact facts relative thereto and form with knowledge an opinion as to what should be the national policy.

On December 8 there was a further meeting of the general committee of the National Security League held at the Hotel Belmont, notice of which meeting I signed as chairman, stating that we desired to bring to the attention of the President and Congress the extent of the demands for immediate, frank, and scientific investigation of our defenses, and the adoption of a program to assure the preservation of our nationality. At this meeting the work of the league was outlined as one to secure through an effective investigation authoritative and comprehensive information in regard to the condition of our

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Second, to find out how considerable an addition to the present annual appropriations would be required in order to obtain the larger measure of efficiency; that is, insurance that may prove to be essential.

Third, to bring about organizations of citizens throughout the national defenses, naval and military.

country to make practical and intelligent expression of public opinion and insure for the Nation an adequate system of national defense.

On December 23 the league—a resolution was adopted that the league be incorporated.

On December 31 the announcement was made of a naval and military committee of the league, and permanent appointments were announced on that date.

On February 11 committees were appointed to secure, if possible, the passage of a resolution in the New York State Legislature urging the appointment of a special commission by the Congress of the United States for the purpose of investigating and reporting on the military needs of the United States along the lines advocated by the organization. Prior to those dates, and prior to that last date, appeals had been made to the governors of every State, the mayor of every great city, to appoint committees to inquire into our national defenses, and to urge action by Congress.

On March 18 one of our committeemen, the Hon. Charles J. Bonaparte, agreed to act as chairman and organize the branch in Baltimore.

On March 18 resolutions were adopted requesting the governor and Legislature of the State of New York to secure from the War Department information as to the adequacy of the defenses of the city of New York.

On March 29 letters were written to every Congressman and Senator, requesting him to join the league, or to express himself definitely as to the program, this being done with the distinct view of canvassing the position of every Congressman for the next session.

On March 30 a committee of five was appointed to wait upon the mayor of the city of New York to get him to correspond with the mayors of other cities, to secure the cooperation of those officials and ascertain throughout official channels the state of preparedness in defense of the respective cities.

On March 30 further letters were sent to the governors and mayors of 50 cities and States throughout the country.

On May 17 a broad publicity campaign was started. Announcement of the organization of the league and the need for preparation that was sent to 1,200 newspapers in the United States; arrangements were made with the American Press Association for a story in plate form.

On May 17 photographs in connection with special Sunday and feature articles were made, and arrangements with a number of magazines for the publication of editorials and special articles calling attention to the need of national defense.

On May 17 placards were printed and distributed with the caption "We are unprepared."

On June 2 a committee was appointed to meet committees from the American Legion, Society of Engineers, the Aero Club, the Red Cross, Navy League, to discuss plans for cooperation in securing national defense.

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On June 14 and 15 the league held an important conference with many great public men present at the Hotel Astor, and also held a national-defense exhibit.

On August 22 the league issued a news sheet of four columns presenting evidence of definite results secured in its campaign to awaken the country to a realization of the need of national defense, and quoted from 67 letters received from Congressmen and representatives in Congress, expressing sympathy with the work of the league.

On October 6 a meeting of the league was held at the Hotel Belmont. Telegrams were read from numerous sections of the country regarding the progress of the campaign. It was reported that up to that time the league had distributed over 1,000,000 pieces of printed matter and held 160 meetings in various parts of the country.

During this period the league organized branches in the different cities, got in touch with leading men in great centers, like Boston, Philadelphia, Chicago, St. Louis, New Orleans, Memphis, St. Joseph, Mo.; Nashville, and organized branch committees there and throughout the country to the number of a couple of hundred. I will get the number later. The men in these committees are listed in a roster of the league which I will be very glad to submit.

On October 6 a prize of $500 was offered on the best essay on preparedness. On October 8 telegrams were sent to the mayors of the large cities requesting them to follow the action of Mayor Mitchel in appointing a citizens committee on national defense. A large number of affirmative replies were received.

On October 19 resolutions were adopted requesting the Army and Navy and militia committees of the league to analyze the proposed administration measures with regard to national defense, and report the suggestions and recommendations to the executive committee as to whether the proposed measures were along the line that the league had approved, namely, to ascertain if these measures were approved by the General Staff of the Army and the General Board of the Navy.

On October 31 Charles S. Whitman, governor of the State of New York, appointed a State committee on national defense at the suggestion of the league, composed of representative men throughout the State.

On November 4 William Jennings Bryan, having been quoted in the Philadelphia papers as stating, during a speech on the night of November 3, that the Navy League and the National Security League were paid agents of shipbuilders and munition makers, I sent Mr. Bryan the following telegram:

Philadelphia press reports this morning quote you as stating that the National Security League was paid agent of shipbuilders and munitions makers. As President of the National Security League I beg to inform you that this statement is unqualifiedly false. League's funds have been contributed by substantially 20,000 members mostly in $1 contributions. It has never received directly or indirectly [illegible] in shipbuilding or in any way connected therewith. The league was founded because a vast number of loyal public-spirited citizens believe in preparedness because they are not willing to see the country's national existence [illegible] the whim or fancy of some [illegible] who may [illegible] to its advantage to make an [illegible]. The National Security League will pay [illegible] of recognized standing. It [illegible] preparedness without [illegible] or that you can question the patriotism of the

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governors, former Cabinet ministers, mayors and private citizens from all walks, who constitute our membership, who believe preparedness can be obtained without unduly burdening the country by taxation or drawing from the ranks of industry to its loss. I trust your sense of fairplay will prompt you to accept the offer promptly to examine books and that you will refrain from such attacks in interval.

Mr. Bryan responded under date of November 19 as follows:

Your favor at hand. I am not responsible for the reports of my speech made by the Philadelphia press. I inclose a copy of the speech I have been delivering, in which you will notice reference to your league's position. If this position is misstated I should be glad to correct it. I will not at this time refer to the remainder of your telegram which merely presents the matter from the standpoint of your organization. I shall not ask permission to audit your accounts, but if you have no objection to giving it I shall be pleased to receive a list of such contributors to your league as have given more than the membership fees, together with a statement of business connections of such contributors, and the amounts contributed.

This letter did not contain a copy of the speech delivered by Mr. Bryan. I, however, complied with Mr. Bryan's request by sending a list of all persons who had contributed more than $25 up to that date.

On November 27 the National Security League——

Mr. JOHNSON (interposing). Mr. Menken, as soon as you are through with your telegram to Mr. Bryan and his answer thereto, I would like to ask you some questions that are directly pertinent.

Mr. MENKEN. I want to answer this question. Can I come back? It will make it very incoherent if I do not.

Mr. JOHNSON. Go ahead.

Mr. MENKEN. I will mark the place and come back.

The National Security League on November 27—you see I have forgotten the year already—held a conference in Chicago. This conference was attended by 116 delegates representing 31 cities. The delegates included Dr. Harry Pratt Judson, president of the University of Chicago; Bishop M. F. Burks, of St. Joseph, Mo.; Mayor Fuhrman, of Buffalo; and former United States Senator Lafayette Young, of Iowa. Resolutions urging complete national defense were adopted. The league at that time had about 70 branches and 30,000 members.

On November 29 the league addressed a letter to the Hon. Claude Kitchin, House of Representatives, Washington, D. C., stating that the published news dispatches from Washington under date of November 27 contained a statement attributed to him that he favored a congressional inquiry into the personnel and activities of various organizations formed to further the national defense, and that, assuming the report to be correct:

The National Security League will welcome any investigation that may be desired, either by congressional committee or by yourself.

The letter further stated that if Mr. Kitchin would designate a date for the purpose, the books and records would be produced for inspection by accountants or otherwise, and full opportunity afforded for interrogating officers and employees.

In reply to this letter Mr. Kitchin said:

I appreciate the tone and spirit in which it is written. It is so entirely different from other voluntary letters which I have received from members of other societies and organizations. I am glad that your league will welcome a congressional investigation, and hope that we, who favor such an investigation, will have your cooperation.

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Mr. Kitchin also asked for a list of contributors, and a carbon copy of the sheets showing membership and amounts paid in were delivered to him on February 10, 1916, for which the league holds his receipt.

On the 29th of December the league adopted resolutions pledging our support to the Secretary of War to secure for the country measures of defense which shall be adequate to protect our national dignity and defend the integrity of the Nation. To that end we pledge our support to anadequate increase of our Regular Army reserve and the organization, under Federal control of a sufficient force of citizens of the United States. We also urge the accumulation of a proper supply of material for their use in case of need.

During the year of 1915 hundreds of thousands of pamphlets entitled, "We are unprepared" and "Defense, not offense," were circulated, while extracts from official reports showing the inadequate condition of our national defenses were widely circulated through newspapers and by other means. Hundreds of meetings were held and branches of the league organized. The campaign for adequate preparedness was vigorously prosecuted by every known means of publicity and appeal.

On January 21 and 22 the league held in Washington a National Security Congress. The proceedings of this congress received wide publicity and were subsequently published complete in a pamphlet, a volume of 200 pages, which I now offer in evidence (presenting document). A program in which many prominent men participated occupied three days, with approximately 1,000 delegates present from all sections of the country.

This was the first national gathering dealing wholly with the question of national security.

On February 21 the league ordered a telegram sent to President Wilson at Kansas City:

> Extending our greetings and hearty congratulations upon your patriotic efforts for national preparedness and our sincere wishes for the fullest measure of success. We feel most deeply that the need is urgent not only for comprehensive but for immediate action by Congress. We believe that if the American people fully understand the gravity of the situation they will support a policy for national protection based on the broadest lines.

On the same day Gov. Whitman requested, in behalf of the people of the State of New York, to take steps to learn from each individual New York representative in Congress, either through action of the legislature or by other means, their views on the subject of preparedness and what they are doing to secure prompt action in Congress.

Mr. WALSH. That is not an activity of the National Security League?

Mr. MENKEN. No; we requested him to do that. On the same day the league decided to furnish business houses with thousands of printed slips to be inclosed in correspondence urging the recipients to write their Congressmen for prompt action in Congress to secure adequate national defense.

Mr. WALSH. What date was that?

Mr. MENKEN. February 2, 1916.

On February 16 the league decided to continue its prior efforts to aid the work of Gen. Leonard Wood in connection with the Plattsburg camp movement.

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On the 22d the national defense mass meeting was held in Chicago under the auspices of the National Security League. We had about 7,000 or 8,000 members in Chicago.

On March 3 and 4 a national defense congress of mayors and mayors' representatives was held in St. Louis as the result of the work of the league, Mayor Kiel, of St. Louis, presided, and Mayor Mitchel, of New York, made the opening address. At the conclusion of the conference resolutions were adopted emphatically demanding adequate national defense.

On March 28 a circular letter was sent to all members of the National Security League asking that they immediately write to their Senators and Congressmen in favor of preparedness on national lines. With each letter was inclosed an unstamped postal card to be returned to the league stating that the letters to Senators and Congressmen had been written. The return of these cards indicated that approximately 10,000 letters had been written to Washington urging adequate military and naval preparedness of the United States.

Mr. REAVIS. May I interrupt you a moment, please? You are reading, are you not, from those notes?

Mr. MENKEN. Yes.

Mr. REAVIS. If I may be permitted, I would like to suggest that your entire notes be incorporated in the record without reading and your answer to it. It is going to consume too much time, I am afraid, to read all the data that you have before you.

Mr. MENKEN. That is all right. I acquiesce in the wisdom of the committee if that is the ruling, but I want to say this: It is absolutely impossible for you to get the right impress of the enormity of the work that we did in connection with this movement in which we had perhaps six or seven thousand mass meetings, sometimes three mass meetings, in the city of New York at a time. Nor can you understand the public problem involved in arousing the people unless you have in your mind a reflection of the difficulties and labors that we went through.

Mr. REAVIS. Let me ask you, Mr. Menken, don't you think we could get that quite as readily from reading it as we could from listening to you reading it?

Mr. HARRISON. And don't you think Col. Lydecker made a very good witness?

Mr. MENKEN. He made an ideal witness, but Col. Lydecker did not deal with any of these questions whatsoever.

Mr. REAVIS. I merely made the suggestion. I don't care to interrupt you, but I think we could save time.

Mr. MENKEN. If I may make a further statement briefly, if you will let me put it into the record in printed form, or perhaps Mr. West could read it to the stenographer or hand it to him afterwards and have it incorporated right here.

Mr. REAVIS. I think it is only fair to you that it should appear in the record at this point.

Mr. JOHNSON. Just hand it to the stenographer.

Mr. REAVIS. We will economize in time in that way.

Mr. MENKEN. The reason I wanted to answer the question is this, that we men who have given, some of us at a sacrifice of our busi-

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ness—and I speak not alone of men like myself, but men in this city, in Philadelphia, the biggest men in Philadelphia, the biggest men in Chicago, in Boston, all through Massachusetts—we have given our very life blood and best efforts of mind and thought and heart to this hearing. We have been brought before this committee under accusations made in graphic language by Mr. Frear upon the floor or Congress; we have been pilloried just as if we had tried to do injury to the country instead of trying to do a service which we thought was a worthy one, to arouse the country to a great public question. In other words, this is their denial of the accusation presented by Mr. Frear, and I wanted the record to show the case.

Mr. REAVIS. It is fair to your organization that the data should be incorporated in the record.

Mr. MENKEN. Entirely so.

Mr. HARRISON. You are speaking now from what somebody else has prepared?

Mr. MENKEN. I did the work and I was not present all the time.

Mr. REAVIS. Suppose you state under oath, Mr. Menken, that it is a correct statement of the activities of your league.

Mr. MENKEN. I can; yes, sir.

Mr. REAVIS. I think in fairness to everybody it ought to go into the record. It will consume much time by having it read, and then we can read it again.

Mr. MENKEN. That is satisfactory to me.

Mr. JOHNSON. Hand it to the stenographer then and it will go into the record.

Mr. MENKEN. All right, sir.

Mr. REAVIS. It is the understanding of the committee, as I gather it, that this data is to be copied in the hearing at this place in the record?

The CHAIRMAN. Yes.

(The matter referred to follows:)

March 29, league sent circular to all its members and branches stating that "The Hay bill which has been opposed by all friends of preparedness has passed the House of Representatives. The Kahn amendment, which sought to increase the Regular Army to figures more nearly approaching the recommendations of the General Staff, has been defeated. Urge the support of the Chamberlain bill. There is no time to be lost. The situation is critical."

April 11, circular letter sent to mayors who attended the St. Louis conference saying that the result of vote in Congress on the Kahn amendment to the Hay bill "must have impressed you with the fact that every patriotic citizen should lose no time to get protection for his country."

April 12, appeal sent out to members of the National Security League and to the public favoring a citizen army, entirely under Federal control, in peace as well as war, and urging support of section 56. The appeal asked each member to request five friends to write letters to their Senators and Congressman along these lines.

April 15, 1,000,000 "adequate defense" poster stamps ordered. Nearly this entire quantity was distributed.

April 28, circular letter sent to every Member of Congress bearing the signature of a number of prominent men, headed by S. Douglas Doty, editor of the Century Magazine, stating that "It is our opinion that section 56 of the Chamberlain bill constitutes the most vital issues now before the conferees. As you are aware, section 56, if adopted, would be the first enactment which ever provided uniform training under Federal control of national militias for national defense."

April 28 and 29, Southern National Defense Congress held in Charleston, S. C., under the auspices of the Charleston Chamber of Commerce and the

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National Security League. Among the speakers were Alexander Graham Bell, of Washington; Hon. Henry Breckenridge, former Assistant Secretary of War; Frederic L. Huidekoper, author of the Military Unpreparedness of the United States; S. Stanwood Menken, president of the National Security League; and the Hon. Thomas W. Millier, Representative in Congress from Delaware.

May 4, letter to branches:

"There is most urgent necessity that your branch of the National Security League should send immediately the largest number of telegrams and letters to your Representatives in Washington, and also to Senator Chamberlain, urging the adoption of section 56 of the Chamberlain Army bill."

The section was quoted, and the appeal concluded: "There is grave danger that this section may be thrown over. Its retention is the foremost issue now before Congress. Do your utmost to save it."

May 5, during this week an appeal was sent to 1,200 papers asking the insertion of a letter signed by Joseph H. Choate, Robert Beacon, Mayor Mitchel, Henry L. Stimson, and efforts urging the retention in the Chamberlain bill of section 56 relating to the Volunteer Army reserve.

May 8, circular sent out in connection with preparedness parades, stating that "we have reached a crisis in preparedness. The situation is a grave one, as is shown by the vote on the Army bill in the House on May 8, and demands immediate united action on the part of the people who favor adequate national defense."

May 13, the preparedness parade held in New York City, in which the league participated. Through the efforts of the league, preparedness parades were held in a large number of cities, including Chicago, Milwaukee, St. Louis, etc.

May 18, Mr. Edwin H. Blashfield contributed a large painting entitled "The Spirit of Preparedness," which painting was exhibited in cities where the league held mass meetings or conventions.

May 25, executive committee adopted a resolution urging immediate adoption of a system of universal military training.

May 25, executive committee resolved to appeal to President Wilson to veto the Army bill recently passed by Congress and before him for his signature. The resolution was as follows:

"Whereas it is our conviction that the Army bill recently passed by Congress and now before the President for his signature is not only totally inadequate for our national needs but that it sanctions wrong principles and methods, thus inevitably rendering it more difficult to obtain hereafter an adequate system of defense and at the same time creating a false sense of security; and

"Whereas this belief is upheld by the views of our national experts as officially expressed in the recommendations of the General Staff of the Army;

"*Be it resolved*, That it is the belief of the National Security League that the said bill should not become a law; and that the President be respectfully urged to veto it; and

"*Be it further resolved*, That a copy of these resolutions be transmitted to the President."

May 27, National Defense Day in Knoxville, held under the auspices of the Knoxville Board of Commerce and the National Security League. Gov. Rye of Tennessee presided, and the conference was effective in stimulating preparedness sentiment in the country south of the Ohio River.

May 27 the league announced that the naval bill reported by the House is entirely inadequate. "It does not grant the moderate schedule asked by the President and falls far short of the program proposed by the General Board of the Navy. As Congress has failed to provide adequate military defense, we must have a Navy which will insure our protection. We can not do this unless the people impress Congress with a positive and universal demand."

May 28 the league issued 25,000 illustrated placards headed "Warning," showing that the United States was deficient in military and naval strength as compared with other nations, although exceeding them in wealth.

The league asked its members to appeal to Congress for a better naval bill, inclosing unstamped post card to be returned to league, showing letters had been written to Senators and Representatives.

June 1, meeting of the league at the Hotel Astor, when an address on the inadequacy of the naval bill was delivered by J. Bernard Walker, editor of the Scientific American. The announcement stated that "we must have an adequate Navy our first line of defense. Partial naval defense is of no value to this country."

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June 2 and 3, the league provided the afternoon program for the mayors national defense conference in Chattanooga, Tenn.

June 5, request sent to all branches of the league to cooperate with the Americanization Society in observing Americanization Day on July 4, and also requesting the citizens in their communities to especially observe June 14, Flag Day.

June 21, letter sent to every Senator and Congressman quoting a resolution adopted at the National Security League Congress held in Washington during the previous January, in favor of universal military training, and asking for their views on the subject.

June 27, conferences or representatives of national defense organizations held under the auspices of the National Security League at the Lawyers' Club. Resolutions adopted urging Congress to increase our national defenses.

June 29, executive committee adopted the following declaration of principles:

"The National Security League holds with our military and naval specialists that our present relative military and naval weakness would render us an easy victim to the aggression of any first-class power and that the cardinal requirements for such a state of preparedness as will obviate the dangers to which we are exposed are as follows:

"First. Compulsory military training and service, wholly under national control, for all physically fit male citizens.

"Second. A Navy of such strength as to make the United States the second naval power in the Atlantic and concurrently the first in the Pacific.

"Third. That Congress should immediately make provision whereby the industrial and transportation facilities of the Nation may be effectively mobilized in case of need."

The league will continue to strive for these objects and for such conditions as are necessary to fully achieve them.

July 1, the record of Congressmen on measure selected by the executive committee as test votes relating to preparedness, printed, and issued in pamphlet form. This record was widely circulated.

July 8, on motion of Mr. Robert Bacon, the following resolution was adopted:

"*Resolved*, That we address the members of the league and request them to immediately write their Congressmen to remedy the defects of the Army bill, detailing these defects, outlining the matters requiring legislation, and urging that, as Congress is now in session, this is the time for action before adjournment; that we ask every defense organization to cooperate with us in this work and that the advisability of the method of carrying this resolution into effect be referred to the administrative committee with power."

July 14, summary of votes in Congress on four measures, sent out to secretaries and chairman of league branches, with request that they indorse men who had voted for preparedness and stimulate sentiment for national defense, in districts where representatives had opposed preparedness.

July 20, league authorized to cooperate with the Association for National Service in securing signed newspaper coupons for universal military training.

July 21, letter sent to adjutants general of all the States relating to the mobilization of the National Guard in response to which a large amount of statistical information showing the lack of men, munitions, and supplies, was obtained and made public.

July 24, letter sent out appealing to league members to write to members of Congress representing their respective districts, to support the naval bill as amended by the Senate, and in conference between the two houses. A return addressed postal card was inclosed, and the member was requested to sign it and send it to the league when he had written to his Congressman.

August 9, placards and small posters distributed and advertisements published in the newspapers headed "Do your part for the U. S. A. The real fight for a real Navy is just beginning. Write to-day to your Congressman urging him to vote for the Senate naval bill. It is the only plan presented for real preparedness."

More than [illegible] of this appeal printed on small slips, with red, white, and blue borders, were circulated.

September 20, executive committee received report relative to the activities of the league in the campaign of education in favor of universal military training and service. An article on that subject had been printed in the American Defense Magazine and widely circulated, while a series of weekly news letters

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on universal military training had been prepared and sent to 1,200 daily newspapers and had been generally published.

An appeal made to a selected list of newspapers to print the National Security League ballot on universal military training was affirmatively responded to by 23 newspapers in 13 States.

October 19, committee of five appointed to arrange with Senator Chamberlain for a hearing on his universal military training bill in the opening weeks of the next session.

October 19, the league issued several thousand placards, as follows:

"Vote for the candidate in Congress in your district, irrespective of party, who believes in these principles of preparedness: Universal obligatory military training, an adequate Army, Navy second in strength, governmental efficiency, industrial preparedness, country above party, partiotism through education, unified national spirit."

The text of this placard was also circulated on small red, white, and blue slips and sent to all members.

November 1, executive committee authorized appointment of a committee of seven to frame a bill for physical and military training in the schools along the lines of the measures indicated by the New York Legislature at its last session, and that efforts be made to introduce and secure the passage of such a measure in each of the 41 legisuatures meeting next January.

November 1, committee appointed to report upon the defects of the Army reorganization bill and every effort be made to secure the amendment of this measure at the next session of Congress. Frederic L. Huidekoper was appointed chairman of this committee.

December 27, following resolution was adopted:

"*Resolved*, That the executive committee of the National Security League hereby declares in favor of universal obligatory-military training, beginning between the ages of 18 and 21, under direction of the Federal Government, such training to be made intensive for a period, as brief as is consistent with securing efficiency, to be determined upon by military experts designated by Congress to make such determination."

1917, January 17, Mr. Herbert Barry reported that a delegation from the National Security League had appeared before the Senate Committee on Military Affairs to argue in favor of universal military training.

January 25, 26, 27. Congress of Constructive Patriotism held in Washington. The proceedings of this congress, which attracted wide publicity, were published in a volume of approximately 200 pages. Over 2,000 delegates attended.

NATIONAL LEAGUE FOR WOMEN'S SERVICE.

February 5, telegrams submitted to the executive committee from Milwaukee, St. Louis, Des Moines, St. Joseph, and Philadelphia, asking the league to vigorously prosecute its campaign for universal compulsory military training.

Resolution adopted:

"*Resolved*, That this organization earnestly recommends to Congress the passage in the present emergency of a Federal measure providing for universal training and service for national defense."

February 5, the executive committee indorsed a proposition looking toward securing the signing of a petition in favor of adequate national defense by those who participated in the preparedness parades, together with such other signatures as could be obtained through all agencies.

February 13, announcement was made that a field secretary had been started upon a trip including St. Paul, Minneapolis, Omaha, New Orleans, and Atlanta, to arrange for utilizing the organizations which had charge of the preparedness parades in the fall of 1916, for the purpose of securing signatures to petitions calling upon the President to recommend and Congress to enact a universal military training and service law.

February 21, delegates appointed to meet with the National Committee of Patriotic and Defense Societies for the purpose of obtaining cooperative effort in securing national defense.

February 21, the executive committee resolved that a letter be sent to members of the league requesting each one to send individual letters or telegrams urging his or her Senators and Congressmen to vote for the Chamberlain universal military training bill, and to ask five members to take similar action. These letters were sent out as directed.

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March 2, following the publication of the Zimmerman note, the league sent out 200 telegrams to mayors of cities and to league branches, asking them to send the following telegram to President Wilson:

"I pledge you my loyal support in any immediate action in defense of American rights menaced by Germany, and I urge that such action be taken forthwith."

The telegram further said:

"We urge you to act immediately, because German agents and their allies, the pacifists, are sending thousands of telegrams to Washington asking the Government to do nothing. They are richly endowed with funds. This appeal is made as our only available means of obtaining an expression of patriotic American sentiment. It is vital to impress upon Congress that the American people are determined and vigilant in the assertion and maintenance of national security and national rights."

Replies from the mayors of Nashville, Tenn., Charlotte, N. C., Wheeling, W. Va., and many other cities stated that they had issued appeals to their citizens in accordance with the suggestion of the telegram.

March 7, advertisements inserted in the morning papers of New York, Chicago, St. Louis, Milwaukee, and other cities urging support for the administration in its attitude toward Germany.

March 7, letters sent to 1,400 mayors to ascertain the sentiment in reference to universal military training and service in their respective communities. The replies, when received, were classified, and eventually the league published two news sheets showing over 400 mayors and over 500 newspapers favoring universal military training.

March 7, rsolution adopted promising assistance through branches and membership to the effort of securing enlistments in the Navy.

March 7, resolution adopted appealing to the President to arm American merchantmen.

March 20, under the auspices of the New Hampshire branch of the National Security League, George W. Wickersham, formerly Attorney General of the United States, addressed a joint session of the New Hampshire Legislature, stating that the country was on the brink of war without adequate preparation.

March 20, resolution indorsing the Chamberlain universal military training bill adopted.

March 22, the league aided materially in securing the passage of a bill by both houses of the New Jersey Legislature, providing for physical and military training in the primary and elementary schools of the State.

March 23, the legislatures of New Hampshire, Rhode Island, Wyoming, New Jersey, and Washington having, by resolution, urged upon Congress the immediate necessity for the passage of a universal training law, telegrams were sent by the National Security League to the governors, presidents of senates, and speakers of assemblies in every State in the Union in which the legislature was in session, urging similar action. Favorable reports were received from Gov. Cornwell of West Virginia, Gov. Withycombe of Oregon, and Gov. Neville of Nebraska.

March 27, telegram sent by league to President Wilson, advising him that a tabulated statement would be forwarded showing that 371 mayors, representing 17,708,151 American citizens, had requested the league to sign their names to a statement advocating universal military training.

April 1-14, two weeks tour entered upon by Henry L. Stimson, Frederic R. Coudert, and Frederic C. Walcott in behalf of universal military training. The tour, which was under the auspices of the National Security League, included addresses on universal military training in Detroit, Chicago, Des Moines, Omaha, Topeka, St. Joseph, Kansas City, St. Louis, Indianapolis, and other places. The tour was originally planned for addresses on universal military training, but as soon as war was declared, the speaker urged a "win the war" program upon the American people.

April 4, the executive committee reported that a circular letter had been sent to every member of the league asking these members to sign petitions for universal military training, and to write to their Senators and Congressmen to vote for the Chamberlain universal military training bill. Replies indicated that thousands of letters were being written as requested. It was also reported that nearly a quarter of a million "Defense or disaster" miniature placards, and about 25,000 large cardboard placards had been distributed. The Pennsylvania Railroad displayed these placards in every station.

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April 4, the executive committee of the league at its meeting to-day went squarely on record in its indorsement of President Wilson's position by the unanimous adoption of a resolution which declared that:

"We fully and heartily indorse the wisdom, courage, and patriotism of the message of the President of the United States to Congress of April 2, and pledge him the complete, hearty, and devoted support of the league in the consummation of the ideals therein expressed, and in the vigorous prosecution of the war against the German Government."

April 6, letter sent to Representative Kitchen, quoting the language of President Washington in his message to Congress in December, 1793, and urging Mr. Kitchen to support these principles and to aid in securing such legislation as would insure their practical application.

April 10, the executive committee resolved that the National Security League express its support of the administration Army bill as an emergency measure without relinquishing its efforts in advocacy of the Chamberlain bill.

April 10, Mr. Menken submitted for consideration of the committee a statement dealing with the ignorance of the great mass of the American people regarding the meaning of the present war, and suggested a broad campaign of education through a popular lecture system.

In this connection a letter was read from a member of the league in Virginia stating that the people in his section did not know what the war was for, and asking that he be supplied with literature on the subject while a postal card advertising a book entitled "War—What For?" advising the American people against enlistment was read as evidence of pacifist activity.

The Chairman's statement was discussed, Col. Lydecker suggesting that the time had passed for words, and Mr. Lewis B. Stillwell suggesting that the campaign should be confined to three points, outlined by Mr. Menken, as follows:

1. The reason for our being in the war and the necessity of maintaining democracy.
2. The part we are to play in the war and the meaning of victory.
3. What in general detail must be done to win the war with explanation of how the allies are using their industrial, agricultural, and armed forces.

Upon motion, duly made and seconded, it was resolved that the statement be referred to a committee to be appointed by the Chair to report at the next meeting upon a feasible and concrete plan for carrying the proposed plan into effect.

April 10, the executive committee decided to arrange for the erection of banners in the streets of this and other cities for the purpose of stimulating recruiting.

April 10, National Security League sent out from headquarters to all branches letter urging the support of the administration war measures.

Apr. 15, the National Security League announced to-day the progress of its active campaign for the organization of home defense leagues in all parts of the country. Nearly 70 of these leagues were eventually organized.

April 19, the league telegraphed to the editors of all the principal newspapers in the country—particularly in the South and West—urging them to appeal to their readers to urge their Congressmen to support the administration Army bill with especial reference to the selective draft proposition.

April 20, meeting of representatives of patriotic and defense societies upon call of the National Security League attended by representatives of 10 organizations at which it was decided to send to every Senator and Representative the following telegram:

"There has been presented to Congress by the administration an emergency measure designed to produce a part of the armies which this country must raise. Prompt and harmonious action is highly important and will tend to convince the enemy of the united and inflexible determination of this country to prosecute the war and accomplishment of the purposes to secure which we are embarked. Immediate and unhesitating support of the administration bill is essential if we are to impress the enemy with a sense of the solidarity of the Nation in favor of vigorous and efficient warfare. We therefore urge your unqualified support of the pending bill in the form approved by the President."

April 22, the league issued a large folder quoting Joseph H. Choate, James W. Gerard, Cardinal Gibbons, Thomas A. Edison, Gen. Goethals, Oscar S. Straus, and others indorsing the principle of universal military training, and urging

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that appeals be sent to Congress for the enactment of the Chamberlain universal military training bill.

April 25, the National Security League presented to Congress to-day a half million signatures to the universal military training petition, which it has been stimulating throughout the country for several weeks. Speaker Champ Clark received the petitions in the room at the House end of the Capitol.

May 9, arrangements made for furnishing a French-English Handbook to soldiers going abroad. Over 250,000 of these phrase books were issued free to soldiers.

May 9, the following resolution was adopted:

"*Be it resolved*, That the National Security League, in the highest sense of loyalty and with a full recognition of the obligation to support the President in carrying out the policies expressed in his great war message, urges upon Congress the importance of immediately agreeing upon the emergency Army bill so that the message can become a law without further delay.

"We desire also to impress upon Congress the fact that the failure of the United States to act promptly will endanger not only the cause of the allies but our own national integrity, and that by imperilling the allies we make possible a situation by which the United States will have to fight Germany single-handed."

May 12, conference of educators held in New York under the call of the Committee of Patriotism Through Education and an outline of plan for addresses and lectures adopted.

May 18, the executive committee resolves to cooperate with the liberty loan.

May 18, Mr. Menken stated that he had been informed that in the twentieth congressional district in New York between eight and ten thousand had signed a pledge to go to jail rather than be drafted in the Army. An appropriation not to exceed $150 was authorized for the purpose of holding a public patriotic meeting in said congressional district.

May 18, the executive committee resolved to cooperate with all patriotic and defense societies in making a national holiday of registration day.

May 29, Mr. Menken reported conferences in Washington with the Secretary of the Interior and the Commissioner of Education with reference to the league's campaign of patriotism through education, and stated that those officials had commended the proposed campaign.

A committee was appointed to confer with the Chamber of Commerce of the United States to secure cooperation in the matter of a universal campaign for partiotic education. It was reported that 23 universities and colleges had already submitted the names of members of their faculties who would volunteer to speak on patriotic subjects.

May 30, the league held a partiotic meeting on the upper East Side of New York City to counteract the activities of the pacifists who announced a State-wide demonstration against conscription and the liberty loan.

June 4, the league adopted as its slogan, "Wake up, America." These words were the inspiration of the campaign of patriotic education which, on this date, June 4, had received the support of 26 colleges and universities, all of which had named members of their faculty to assist in the educational work.

June 5, through the efforts of the league, appropriate celebration of Registration day as a festival occasion was held in St. Louis, New Orleans, Omaha, Des Moines, Buffalo, Trenton, Passaic, Wilkes-Barrie, Knoxville (Tenn), Aberdeen, (S. Dak.), Ann Arbor (Mich.), and other cities.

June 13, Geoffrey Butler of the English foreign office, detailed to the executive committee the work done in England in acquainting the English people with the reasons for the war, and said that the plan submitted to the executive committee of the league was better than anything ever suggested or executed in England, and added that a campaign of patriotic education was absolutely essential in a democratic country because in such country foreign policies can rest only upon the sentiment of the people, and they must have the principles involved to present it plainly to them.

June 26, the league announced its cooperation with the plans of the Government in organizing a Nation-wide speaking campaign to arouse the people of the country to a realization of the meanings of the war. This work had already been inaugurated by the National Security League.

July 2–7, a speakers' training camp and conference of organizations engaged in patriotic education was held at the Chautauqua Institution, Chautauqua, N. Y., under the auspices of the National Security League. This gathering

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was attended by nearly 800 delegates, and resulted in organizations being formed for the campaign of patriotic education in Vermont, Pennsylvania, Ohio, Iowa, Mississippi, Kansas, Washington, Louisiana, Virginia, Indiana, Illinois, Tennessee, New Jersey, New York, Kentucky, Michigan, West Virginia, and Maryland, as a result of the presence at Chautauqua of representatives of State councils of defense and other delegates.

July 11, the following resolutions, with an appropriate preamble:

"*Be it resolved*, That the National Security League calls upon all organized bodies of Germans and of persons of German ancestry to assemble in public meeting and to come out in open declaration against the German Government, condemning its conduct in the prosecution of the war, and demonstrating their loyalty to the Government of the United States, and be it further

"*Resolved*, That the American press in general and the German press of America in particular, be requested to advocate public pronouncement and activities of Germans in America, in patriotic support of the Government of the United States, and be it further

"*Resolved*, That all inhabitants of the United States of German birth or German ancestry be called upon to take such action, severally and collectively, as will bring to the minds of their relatives and connections in Germany and its allied countries the conviction that the war can end only by complete defeat of the Government of the central powers of Europe in their attempt to conquer and expand without regard to the rights of other nations."

July 26, leading teachers of the country met at the Hotel Astor to-day and formulated plans for cooperation with and extension of the National Security League's great campaign to arouse the people of the Nation to a realization of the meanings of the war. Among those present were Philander P. Claxton, United States Commissioner of Education; Dr. John H. Finley, commissioner of education of New York City; Dr. Henry M. MacCracken, president of Vassar College, and chief of the educational division of the New York State council of defense; H. P. Shawkey, State superintendent of education of West Virginia; A. H. Spaid, commissioner of education of Delaware; V. O. Gilbert, State superintendent of public instruction of Kentucky, and Calvin W. Kendall, commissioner of education of New Jersey.

Dr. MacCracken explained the State-wide educational campaign in New York State organized in conjunction with the National Security League, and that on September 15, 10 teams of 4 speakers each were to address meetings in practically every city, town and hamlet in every county in the State, upon the causes of the war and the reasons for our participation in it and kindred topics. The meeting urged upon Dr. Claxton the importance of requesting a general patriotic observance in all schools with a special reference to a clear, concise exposition of the causes of the war and the reasons for the participation of the United States in it.

August 5, the league announced that its appeal to the editors of the country to ask their readers to urge upon the President and their Senators and Congressmen, by letter and wire, the speeding up of the war program had met with an enthusiastic response in all parts of the country. The league's appeal was made in the form of newspaper advertisements and personal letters sent to the editors of 1,400 leading newspapers of the country, which papers were definitely on record in favor of preparedness measures and the aggressive prosecution of the war.

August 6, letters sent out to branches suggesting the formation of committees to trace and expose slackers so that no person obligated to serve could wrongfully escape.

August 6, circular letter sent to editors of all German-American papers inclosing a statement of patriotic pledges which the newspapers were asked to print as presenting a profession of faith for every American, including all of German birth or parentage.

August 15, the executive committee ordered a letter sent to membrs of the league suggesting a renewal of the campaign for universal military training and in support of the policies of the administration looking to the efficient conduct of the war.

August 20, circular letter sent to chairman and secretaries of branches recommending the adoption of the persistent, continuous, and systematic measures put forth by Mr. Hoover, the National Food Administrator, for the conservation of food.

August 21, circular letter sent out addressed "To the patriotic press of America," as follows:

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"Three years' experience with Washington has indicated the fact that e is always a response in Congress to the demands of constituents. At present time we want to appeal to you to ask your readers to write to W ington urging speeding up of the Army program.

"The administration is advocating splendid legislation, but red tape personal jealousy are delaying the efficient conduct of the war, and if you see your way clear to ask your readers to write to the President, your Senat and Congressmen demanding the building of ships and the enactment of p ing measures, it would do more to save American lives and safeguard Ameri principles and honor than anything else."

August 31, the loyal citizens of North Dakota appealed to the National curity League to-day for assistance in combating the People's Council America which had announced its intention of holding an antiwar conven in that State, after being barred from Minnesota by Gov. Burnquist. T assistance was given.

September 10, the league issued a small pamphlet entitled "Why we ar War." Over half a million of these pamphlets were eventually distribu and were in demand everywhere.

September 16, the league announced that 157 members of the House of R resentatives and 38 Senators favored the petition on universal military trai as the permanent basis of the military system of the country.

September 20, the league issued a Handbook of the War which was furnis to speakers, to colleges and universities, State councils of defense, and all o agencies distributing condensed knowledge of the reasons for the war and vital issue involved.

September 25, the league circulated through the agency of a New Y donor, 10,000 copies of the book, "Out of Their Own Mouths," a collectio German utterances.

September 26, mass meeting held in Chicago under the auspices of the tional Security League. The following resolution was adpted:

"*Resolved*, That this assemblage of loyal citizens of the United States, resenting every element in the great melting pot of American citizenship patriotism, condemns Senator La Folette for his bitter utterances against Government and the vigorous prosecution of this war, and as an unfaith and disloyal official, unworthy longer to represent the loyal and devoted zens of America."

This resolution was approved by the executive committee on October 3.

October 13, conference of educators held in New York City to dis league activities.

One of the results of this meeting was the assignment of a professor f many of the leading universities to cooperate in the work of patriotic ed tion, and also the preparation of a curriculum for elementary intermed schools and colleges and universities to teach students the responsibility duties of citizenship.

October 15, loyalty week in New York State, and a war convention las two days in Rutland, Vt., held with the cooperation of the league.

October 16, National Security League meeting held at Tremont Tem Boston. Hon. James M. Beck was the principal speaker.

October 17, women's war service meeting held under the auspices of league at Carnegie Hall, New York City, at which Mrs. Thomas J. Preston, presided.

October 19, the managing committee of the league adopted a resolution ur its branches and all public bodies to express to Congress a keen sense of preciation of the splendid constructive work done by our Senators and Re sentatives in enacting legislation to provide for the effective conduct of war.

This resolution was sent to all commercial organizations and elicited merous favorable responses.

October 22, State-wide patriotic campaign begun in New Jersey.

October 30, the league sent a circular to all members, beginning as follo

"Help us to break down the barriers of doubt, ignorance, and apathy. must win the war.

"Victory will come all the more quickly and with the minimum sacrific lives and money if the American people universally and heartily support Government. There is no lack of American patriotism, but patriotism w is merely passive will never win the war. It must be active, enthusia united."

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November 5, letter sent by the National Security League to commercial bodies throughout the country as follows:

"The managing committee of the National Security League has passed the following resolution, to which we invite your special attention:

"'*Resolved*, That we urge the branches of the National Security League and all public bodies to express to Congress a keen sense of appreciation of the splendid constructive work done by our Senators and Representatives in enacting legislation to provide for the effective conduct of the war; and be it further

"'*Resolved*, That we point out that the remarkable record of Congress in this regard, together with the wonderful work being done by the President and Cabinet and Council of National Defense, is such as to merit the gratitude of the public and in fact of all liberty-loving peoples throughout the world. It is but fair that opportunity be taken to fully convey to them sentiments of the American people. Those who know their work will be inspired by the splendid example of their official representatives to render the largest measure of individual effort and sacrifice. The quality and unity of service that has been rendered to the Nation during the past few months, regardless of party lines, is unparalleled in history.'

"Kindly permit us to suggest that approval by your organization of this resolution would be a distinct public service at this time when the Government and every one allied with it need and deserve the sincerest support and cooperation of all citizens. Will you inform us of the passage by your body of this or a similar resolution?"

November 19, resolution adopted calling upon the board of education of the city of New York and of all cities, to remove from their teaching staff forthwith any teacher who is proven not to be supporting the conduct of the war, and not upholding the Federal Government with absolute loyalty; and that as a national necessity, and as a war measure, we call upon every board of education, school commissioner, and school-teacher to put into the curriculum of the schools, without delay, as a part of each day's actual tuition, the facts showing why we are at war with Germany, the danger of failure to this country, and the duty of every American to support the conduct of the war loyally and by service.

A copy of this resolution was sent to 3,000 city and country school superintendents and more than 2,000 governors, mayors, and editors, and in reply several hundred letters were received, adopting these suggestions and expressing cooperation. These replies were accompanied in nearly every case with requests for information as to how the resolution could be carried into effect. The league then prepared and distributed 60,000 copies of a series of teachers' patriotic leaflets which were adopted and used in thousands of schools.

November 19, a committee was appointed to cooperate in reaching the foreign-born population with patriotic speeches and literature.

November 19, report made to the executive committee that $500 previously authorized for boiler-plate matter for daily and weekly newspapers had been expended, with the result that 320 papers reaching 500,000 families, in Indiana, Kansas, Iowa, Minnesota, Nebraska, Ohio, and Wisconsin had used a page of "Win the war" matter prepared by the league. An additional appropriation of $500 was authorized for extending this work.

November 19, President Menken called attention to the fact that next spring nominations would be made for members of Congress for the elections to be held next fall, and emphasized the importance of the election of a Congress thoroughly loyal in support of the war.

On motion, duly seconded, it was resolved that a letter be addressed to the chairmen of Democratic and Republican Congressional campaign committees, asking what steps have been taken to insure the nomination and election of Representatives pledged to support the Government in the vigorous and successful prosecution of the war. This matter was discussed at length, the sense being that the maintenance of a war Congress was vital to the nation, the war, and the cause of the allies.

On motion, duly seconded, the appointment of a committee of three to formulate plans for assisting in the election of loyal Congressmen was adopted and Messrs. Lydecker, Barry, and Hornblower were appointed as members of said committee.

December 5, Mr. Menken reported a donation of $1,000 to be used as a prize for the best method of acquainting the German people with the text of the message of President Wilson delivered in Congress, December 4,

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and announced that James W. Gerard would be the chairman of a committee of three to award the prize. This committee consisted also of Dr. David Jayne Hill and the Hon. Job Hedges, which committee eventually divided in favor of dividing the prize to the contributors of the four best suggestions. This was done, and the suggestions were forwarded to the Committee on Public Information, Washington, D. C.

December 6, the National Security League held a meeting in Cooper Union at which the audience was almost exclusively Russian. Among the speakers were Lieut. Commander Hwoschinsky of the Russian embassy, Major Stanley Washburn, war correspondent, and a member of the American commission to Russia, and A. J. Sack, staff correspondent in this country of the Russian ministry on finance and director of the Russian information bureau.

December 6, the league issued an appeal, "We must work and save to win the war. Victory is the only thing worthy of patriotic thought and effort at this time; it means the preservation of liberty throughout the world."

December 14, letter sent to superintendents of schools, asking them to make American school children fully acquainted with the reasons, why we are at war with Germany, and the menace of defeat. "If this knowledge is given to them in simple and clear fashion they will carry the message into their homes, creating unified and enthusiastic American spirit in support of the war. Wars are now won by the people behind the line, through their moral support and their supply of means for battle. The stimulation of the national morale which would encourge our soldiers abroad is a distinct aid to victory."

During the year 1917 there was constant publication pamphlets, placards, and all manner of propaganda material to explain the reasons why the United States had entered the war, and to create an American sentiment in favor of the vigorous and prompt prosecution of the war, in order that the drafted men might be sustained by definite conclusions in the fact that the country was at war. The pamphlet "Why we are at war" was curculated to the extent of over half a million copies, and a series of patriotism through education pamphlets was begun. Approximately 3,000,000 pieces of literature were distributed.

During the year the league also issued a map entitled "How Germany wants the world to look," the plates of which had been kindly furnished by the New York World. Altogether, 250,000 copies of this map were distributed, 60,000 going into school rooms, and the Western Union Telegraph Company taking one for every office in this system.

1918.

January 9, President's message delivered January 8, translated into German, Russian, Yiddish, Swedish, Dutch, and Danish, and forwarded to the Committee on Public Information.

January 9, at the request of the American Alliance of Labor and Democracy the executive committee passed a resolution indorsing the movement of organized labor in calling for international observance of labor loyalty week during the week of Lincoln's birthday.

January 18, luncheon at Hotel Astor in honor of Senator Chamberlain and Representative Kahn attended by nearly 2,000 people. Mr. Roosevelt also spoke.

February 6, arrangments completed for cooperating in work of supplying patriotic addresses to employees of shipyards in order to interest the workmen in the war, and by emphasizing their responsibility secure the speeding up of the war.

February 6, report submitted that during the month of January the speakers' bureau had caused to be furnished speakers for 110 meetings, with an attendance, conservatively estimated, of nearly 50,000, and held in New York, New Jersey, Connecticut, Pennsylvania, Vermont, and Illinois.

February 6, the league absorbed the Flying Squadron of Speakers.

February 6, resolution adopted as follows:

"*Resolved*, That it is the duty of all education institutions to inquire into the loyalty of their officers, professors, or instructors, who are suspected of being in sympathy with the Nation's enemies, and to remove from their faculties those who are found to be disloyal."

In accordance with this resolution a letter was sent to the heads of the leading educational institutions and to presidents of the alumni associations, replies being received from about 75 per cent of the persons addressed. These replies indicated that in many cases professors had been requested to sever

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their connection with the institution to which they were attached; and in all cases sympathy with the purpose of the resolutions was expressed.

February 21, 22, 23, congress of national service held in Chicago under the auspices of the National Security League at which delegates representing over [illegible] organizations were in attendance, and the program participated in by President Taft and the governors of Illinois, New York, Minnesota, Arkansas, New Mexico, and South Carolina. Three sessions were held daily and were addressed by prominent men.

February 27, committee on physical reserve, organized with Walter Camp, of New Haven, Conn., as chairman, letters were sent to the principal cities, requesting the formation of local physical reserve committees, and over three hundred of these committees were appointed by these local authorities.

February 27, over 2,500 copies of Walter Camp's Manual of Physical Exercises have been distributed.

February 27, requests received from the Colorado State Council of Defense, Minnesota Commission of Public Safety, Y. M. C. A. Branch National War Work Council of Camp Gordon, Atlanta, Ga., and the State Council of Defense of Wisconsin specifying pamphlets desired for distribution to the number of nearly 200,000.

March 13, through the contribution of $10,000 made by Mr. Ridley Watts, arrangements were made to furnish ready-made plate service to daily and weekly newspapers for the publication of approximately 35,000 columns of matter relating to the war.

March 13, announcement of the fact that after the presentation of the work of the league to the board of trustees of the Carnegie Corporation an appropriation of $150,000 had been voted to the National Security League.. Mr. Menken explained that this fund would be used to further the campaign of patriotic education being conducted by the league, and it was stated that the work would be done through schools, Chautauqua, and teachers' institutes already organized. Mr. Menken explained that it was estimated that 280,000 teachers attended these summer schools and teacher's institutes and it was proposed to secure through the cooperation of universities and colleges the services of at least 150 educators who would address these teachers and lay the foundation for patriotic education in schools and other educational institutions. He stated that a definite program had already been outlined for communicating with all summer schools and teachers' institutes for the purpose of arranging for the presentation of this patriotic educational work and that the assignments and schedules of a traveling corps of instructors would be arranged from the national headquarters.

March 13, announcement made that arrangements had been completed with the board of education of the cities of New York and Chicago for the interchange of speakers in the two cities, and that orders had been given for the 8,000 teachers of Chicago, and the 20,000 in New York City, to attend these meetings, which would be devoted to addresses and patriotic war topics.

March 13, the league pledged its hearty support through its branches and members to the Government in the next liberty loan campaign, and requested all speakers at National Security League meetings to urge their audiences to buy liberty bonds.

March 27, a campaign of patriotic education having been commenced in Lowell, Mass., and adjoining towns, for which the sum of $1,000 had been raised, the league made an appropriation of a similar amount to carry on the work.

April 10, the following resolution adopted:

"*Resolved*, That the National Security League does not approve of attacks on the administration, but it reserves the right of constructive criticism for the successful prosecution of the war. To neglect criticisms and suggestions of this nature would be to abandon one of the inalienable rights of a democracy."

April 13, luncheon at Hotel Astor, with addresses by Senator Robert L. Owen, of Oklahoma; Col. Samuel McRoberts, Ordnance Bureau, War Department; and Senator W. G. Harding, of Ohio.

April 24, executive committee approved the activities of a subcommittee on patriotism through education on the subject of the supervision of the foreign enemy language daily press, and the curtailment of the teaching of the German language in public institutions.

April 24, announcement made that as a result of patriotic meetings in North Dakota, with special reference to the meeting at Minot, the resignation of the president of the State normal school had followed.

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May 8, annual meeting of the National Security League held in the Metropolitan Opera House, which was crowded with members of the league and guests. Elihu Root, president, made an address.

May 29, an appropriation of $5,000 made to assist an experiment in patriotic education at Lowell, Mass., under the title, "The Lawrence plan for education in citizenship." It was stated that the experiment would be tried at the Oliver School in Lawrence which is attended by 1,200 students and 38 teachers.

May 29, resolution adopted expressing hearty accord with the citizens of Wisconsin in condemning the actions and utterances of Senator La Follette and approving the action of the Wisconsin Legislature on February 25 and March 6 condemning said Senator.

June 14, executive committee authorized appointment of a committee with power to arrange for the celebration of Bastile Day on July 14 by holding meetings or banquets in the United States and allied countries, and that American citizens in the latter countries be asked to cooperate.

Through the cooperation of the league the Bastile Day celebration was a national success, meetings being held in over 700 localities.

June 14, executive committee approved the sending out of a letter regarding publications in foreign languages and the use of the German language in academies and schools. The committee also approved of a suggestion by Col. Lydecker to the effect that the proposition looking to the formation of a group of German-Americans of German descent—15,000,000 or more in number—was dangerous to Americans of German descent, who should be advised against going into any such combination.

An appropriation of $1,500 authorized to establish an experimental school in patriotic education at Keene, N. H., provided the New Hampshire branch of the league would guarantee that an equal sum will be raised in New Hampshire.

July 9, executive committee authorized the appointment of a committee to be known as "the committee on preliminary instruction for registrants, said committee to communicate to the local draft boards throughout the country and submit to them a plan for appointment of captains and the formation of groups to take preliminary military drills on the part of drafted men not yet called to the service, with the aid of such details as may be secured from the Army and Navy, the State guard, and the home defense organizations."

This committee under the chairmanship of Rear Admiral Charles F. Stokes, United States Navy, worked steadily until the armistice was signed and was doing effective work in New York and elsewhere in the matter of giving to the drafted men preliminary instruction between the period of registration and being called to camp.

July 24, executive committee adopted resolution indorsing the trade-mark, "Made in America."

July 24, executive committee adopted a resolution suggesting that in all manufacturing plants the raising and lowering of the flag be accompanied with as much dignity and ceremony as possible.

August 7, executive committee authorized the expenditure of $3,000 for the purpose of instituting in the State Normal School at Los Angeles, Cal., a development school for patriotic teaching under the supervision of the committee on patriotism through education.

September 6, executive committee authorized the publications of comment of Prof. Van Tyne upon the book entitled, "Two Thousand Questions and Answers About the War."

September 6, resolution adopted suggesting a Nation-wide celebration of the anniversary of the adoption of the Constitution on September 17.

September 7, conference of educators held upon invitation of the National Security League in New York City.

September 18, the following resolution adopted:

"*Resolved*, That the National Security League expresses to the President of the United States its sense of gratitude for his prompt and emphatic rejection of the hypocritical note of Austria, and it congratulates the people of the Nation upon this decisive action in maintenance of the principles of American liberty."

September 18, resolution adopted to appoint committee to prepare for the universal celebration on June 21, 1919, of the anniversary of the ratification of the Constitution, and that, during the progress of preparation for this celebration, such steps be taken toward securing the cooperation of speakers of the

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league and the teachers of the country in bringing to the attention of the public and of pupils the subject of the anniversary of the Constitution with emphasis upon its importance as the bulwark of the rights of the people and its effect upon democratic governments all over the world.

September 18, resolution adopted to cooperate in the celebration of Britain Day.

September 18, executive committee adopted resolution indorsing the joint resolution introduced in the House by Representative Fairchild, of New York, providing that no person shall be qualified as an elector in any State who shall not be a citizen of the United States.

September 26, mass meeting of teachers of New York held in Carnegie Hall, with addresses by Dr. Patton, former president of Princeton; President Somers, of the New York Board of Education; Dr. George D. Strayer, president of the National Education Association; and Charles E. Lydecker, president of the National Security League.

October 2, executive committee adopted the following resolution:

"*Resolved*, That no words are adequate to express the appreciation which should be felt by the people of the United States for the inspiration to victory which the eloquent address of President Wilson delivered at the Metropolitan Opera House, New York City, on the evening of September 27, 1918, has given to the American people and to the world. Reassurance from the highest authority of the most exalted ideals which actuated our entrance into the war and the reasons for cheerful and entire sacrifice on the part of all to accomplish our purpose, has never been so effectively uttered."

October 16, resolution adopted authorizing appointment of a committee to consider a report upon a plan and scope of work in connection with the returned soldier as can best further the plans of the Government.

This committee was duly appointed with E. W. Woodcock, of Moline, Ill., as chairman. A letter was received from Dr. Charles A. Prosser, director of the Federal Board for vocational education in which he stated that the league would "be able to render a very distinct and unique service to the cause of rehabilitation." The league has since printed a pamphlet on this subject, the text of which was supplied by the Federal board for vocational education.

October 16, resolution adopted for the purchase of 525 copies of the book, entitled, "The Future of German Industrial Imports." This book was sent to all branches with the request that it be thoroughly read as indicating the attitude of Germany toward the United States.

November 13, executive committee adopted the following resolution:

"*Resolved*, That the National Security League urges upon the National State and municipal authorities the enactment of regulations which, without interfering in any way with the right of free assembly, will forbid the use of the red flag in any public assemblies and parades."

As a result of this resolution an ordinance has been adopted in New York forbidding the use of the red flag in public assemblies.

December 4, executive committee adopted the following resolution:

"*Resolved*, That the Secretary of the Navy be requested to detail a suitable number of war ships in all ports at which returning soldiers will disembark for the purpose of greeting troop ships with returned soldiers with appropriate salute."

This request was made of the Secretary of the Navy, who replied that it would not be necessary to detail warships for the purpose, as there was already a sufficient number in the various harbors.

Between January 1, 1918, and December 1, 1918, the league circulated over one million seven hundred thousand pieces of propaganda literature in response to mail order and other requests. This included, "A Handbook of the War for Speakers and Teachers," "Correspondence Course in Patriotism for Teachers," "War Points for Americans," by Prof. M. F. Libbey, of the University of Colorado, and many similar pamphlets.

Mr. MENKEN. I would like to say in addition to the record contained here, we did a multitude of things that were not, of course, reflected in the minutes of the league. Now, one thing here that we are most proud of, we were instrumental in getting into the organization of the National League the organization for women service, which has half a million members; which has done a service in con-

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nection with arousing the country to the needs of preparedness: which has since the war conducted a canteen and ambulance service on a broader scale throughout the entire country, and which has been one of the chief instrumentalities of aid in and support to the soldiers and sailors in connection with the war. We cooperated with all sorts of bodies; we furnished data to the State councils of defense. Among other things we distributed to the soldiers a quarter of a million French books. A thing that does not appear here is the work of Mr. Lloyd Taylor, Mr. Baer, and some other gentlemen. I wish Mr. Taylor would give me the name, if he is present, of the third gentleman in the Union League.

Mr. TAYLOR. Mr. Brown.

Mr. MENKEN. They organized parades for preparedness, in which 3,000,000 people are estimated to have taken part.

Mr. REAVIS. Yes; I walked in one of them.

Mr. MENKEN. And we did all that mass of work. We published advertisements which were carefully phrased in order to stir up action on the part of Congress.

Mr. REAVIS. Is all of that in the data?

Mr. MENKEN. No; those things are not there, but I mean the side lines of the organization work. We were night and day trying to cover the entire field by pamphlets which were circulated to a number which might be conservatively estimated—I don't want to be asked how it was estimated, but giving my best opinion, 50,000,000—boiler-plate matter that went all over the country, having a circulation of several millions per week, and doing all that work day after day. The minutes or the detailed statement don't reflect more than probably 25 per cent of the different things we did because it was personal service done by men in all parts of the country at different points. At Chicago, our great branch there under the direction of Mr. Merrick and Judge Dickinson, has been the clearing house of every patriotic movement for two years. Every other week they held mass meetings of several thousand people where addresses were made by leaders of thought. Mr. Gompers and Mr. Root were together there on one occasion, in a joint meeting, and other men in public life. Mr. Roosevelt went twice to Chicago to speak at those meetings. I had the honor of going with him. On another occasion Mr. Roosevelt went across the continent for us. On another occasion Mr. Coudert, Mr. Stimson, and Mr. Fred Walcott went across the continent. On other occasions we had groups of professors traveling across the country. I think on one trip Prof. McElroy spoke something like 21 times, having Miss Catherine Burke, the Red Cross speaker, with him on many occasions.

We had these tours. Then we had our conventions in the South. West, and so forth. Then one of the greatest things was this: We realized we had to get right close to the people and we organized under the direction of Mr. C. A. Bill what was known as the flying squadron of speakers, where we had a thousand men who have been trained right here in this building by eminent thinkers; who go out at night and stand upon the street corners, taking a leaf out of the book of Socialism direct to the people.

Mr. REAVIS. Are you pursuing that activity now?

Mr. MENKEN. Yes, sir.

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Mr. REAVIS. I think the Senator and I probably heard one of your speakers the other night.

Mr. MENKEN. I hope he was worth your worthy attention.

Mr. REAVIS. Your dope on that fellow is all wrong.

Mr. MENKEN. He had the name National Security League? We placard our stands very clearly so you couldn't miss it. And they talk right to the people, and they have an audience of three or four hundred. You can go down on the east side during the spring or summer nights and find one meeting every three blocks, talking on national problems.

Mr. WALSH. That is since the November election?

Mr. MENKEN. Oh, no, we did it before the November election. We have done it right along, the idea being that you have got to bring home to the masses of the people in these great centers knowledge of the problems related to democratic constitutional government, getting their minds working on them, and then once they work they will find their own proper solution.

Mr. JOHNSON. May I go back now to that point in your testimony where you referred to Mr. Byran?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. In that connection I wish to ask whether or not the accounts of the league were audited during your presidency?

Mr. MENKEN. Yes, sir; we selected as auditors of the league the auditors for the United States Treasury Department, Messrs. Marvin, Peat & Co., a firm with an international reputation, and every three months they made an audit in a most complete and exact way, and copies of the audits are preserved for submission to the committee.

Mr. JOHNSON. You unhesitatingly approve their report?

Mr. MENKEN. I certainly do.

Mr. JOHNSON. There is no question about that?

Mr. MENKEN. No question.

Mr. JOHNSON. I find this language in their report of affairs up to December 31, 1915:

> We have been asked to state that no donations have been received from any persons interested in the manufacture or sale of munitions of war, and that no expenditures have been made for any purpose other than to carry on the work of the league.

Who made that request of that auditing firm?

Mr. MENKEN. Well, I will assume responsibility for it, but I don't know whether I personally made the direct request of them or not. Probably I asked Mr. West to see whether they would embody such a certificate.

Mr. JOHNSON. Why were you anxious to have your auditing—the auditors of your accounts conceal that information, if there was any such thing existing?

Mr. MENKEN. I wanted them to proclaim the fact if it existed, for this reason——

Mr. JOHNSON (interposing). But the auditor's report says:

> We have been asked to state that no donations have been received from any person interested in the manufacture or sale of munitions of war, and that no expenditures had been made for any purpose other than to carry on the work of the league.

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Mr. MENKEN. Now, read the rest of it.

Mr. JOHNSON (reading):

In reply we would say that so far as the disbursements are concerned, all have been made for expenses such as would occur in the ordinary course of the league's business, but any statement in respect to the receipts must necessarily be confined to such facts as appear on the record. In this connection we would state that all contributions to the league appear to be genuine, and that we know of no contributions that have been received from firms engaged in the sale and manufacture of war munitions.

It is to be taken for granted that they did not go out and hunt for those contributions?

Mr. MENKEN. Yes, but if I might take the liberty of doing so——

Mr. JOHNSON (interposing). May I proceed with my interrogation of you?

Mr. MENKEN. I did not answer your other question.

Mr. JOHNSON. You asked me to read the rest of the statement, and I read it.

Mr. MENKEN. I asked them to—there is an indication there, a innendo that I think it is but fair—there was no request to conceal there; it was a desire for publicity, because of the fact that the pacifists and the men of the Bryan type were charging throughout the land that we were agents of munition makers and that we were being supported by people interested in increased armament, and I wanted the auditors to go as far as they could, to state in their report a denial of that fact, because we were very particular never to receive any contribution from anyone in any way related to any industry that could profit from war.

Mr. JOHNSON. Well, I think that the report speaks for itself.

Mr. MENKEN. I do too, sir.

Mr. JOHNSON. Then there was a request made by the league for the concealment of certain information. But let us go into that in another way. I find that on October 20, 1915, a contribution of $1,500 was made by "A friend." Who gave that?

Mr. MENKEN. Mr. Joseph H. Choate.

Mr. JOHNSON. Inasmuch as Mr. Choate gave thousands of dollars in his own name, why was that given in that particular way?

Mr. MENKEN. Well, he didn't want people to know, probably—didn't want to have his generosity known. He was a very modest man.

Mr. JOHNSON. Do you know how much is the total of Mr. Choate's contributions?

Mr. MENKEN. It is under $10,000.

Mr. JOHNSON. On January 29, 1916, there was a donation on $1,000 by "A friend"; who was that?

Mr. MENKEN. Mr. Choate again.

Mr. JOHNSON. Can you explain why Mr. Choate frequently gave, contributed in his own name, and upon other occasions he would simply say "A friend"?

Mr. MENKEN. I have explained that he preferred to give anonymously rather than to get the plaudits. You will find very few anonymous contributions.

Mr. JOHNSON. On March 2, 1916, there was a contribution of $500 made, and it is entered on your books as "Anonymous." Who gave that?

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Mr. MENKEN. Mr. Choate.

Mr. JOHNSON. Why is it that, in your opinion, did Mr. Choate lose his modesty when he gave in his own name?

Mr. MENKEN. I think I told him it would be very helpful to us if I could put him down as a personal contributor. It would have a good effect on other contributors.

Mr. JOHNSON. On January 22, 1916, a donation of $500 was made which is carried on your books as "Anonymous." Do you know who that is?

Mr. MENKEN. Mr. Choate.

Mr. JOHNSON. Another evidence of modesty. In July, 1917, there is another donation of $500 under the initials of J. S. Who gave that?

Mr. MENKEN. I don't know. Do you know [addresing Mr. West]?

Mr. WEST. I don't know.

Mr. JOHNSON. On July 20, 1917, another donation of $500 was given "From a friend, through S. S. M." Who gave that?

Mr. MENKEN. I think that was given by Mr. Childs—Eversly Childs.

Mr. JOHNSON. Mr. Childs had given many times under his own name, had he not?

Mr. MENKEN. Yes.

Mr. JOHNSON. Very many times?

Mr. MENKEN. Yes.

Mr. JOHNSON. Large amounts?

Mr. MENKEN. Yes.

Mr. JOHNSON. What is your explanation, since those initials seem to be yours, what explanation have you for not using his name in entering this donation?

Mr. MENKEN. My recollection is that he gave some donation there and did not want to give it in his own name. I don't know why. People were very generous and often did not want their generosity published in the papers.

Mr. JOHNSON. Well, accompanying that entry "From a friend, through S. S. M."—those are your initials?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. And that donation was probably made through you. Was it not?

Mr. MENKEN. Yes; I raised most of the money for the New York branch.

Mr. JOHNSON. Search your memory a little bit and tell us who that friend was, if you possibly can.

Mr. MENKEN. I can not; there are so many. You see, we raised five or six hundred thousand dollars.

Mr. JOHNSON. Was it given to you by checks or currency, or do you recall?

Mr. MENKEN. I don't recall, but any amount above a small amount, perhaps $5, which was given to me in currency, always got a check to the order of the league.

Mr. JOHNSON. You spoke of one donation having been given by Mr. Childs, where in entering upon your books his name was not given. I find that Eversly Childs, No. 17 Battery Place, New York, at one time gave a thousand dollars; that William Hamblin Childs,

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of the same address, gave $500; upon another occasion that Eversly Childs gave a thousand dollars, and that William Hamblin Childs, of the same address, gave a thousand dollars; and that upon another occasion Eversly Childs gave $2,000; and upon another occasion he gave a thousand dollars, and upon another occasion he gave a thousand dollars. The aggregate of these contributions is $7,500. Can you explain why Mr. Childs, Mr. Eversly Childs and Mr. William Hamblin Childs, occupying possibly the same residence——

Mr. MENKEN (interposing). Office.

Mr. JOHNSON. Is that an office—that their names were used in entering these contributions, and that the other was to be covered up under the use of the name of "A friend," and then your initials attached to it?

Mr. MENKEN. There was no such covering up or no such attempt to use their names. Mr. Childs—William Hamblin Childs——

Mr. JOHNSON. Now, if you will——

Mr. MENKEN. Do you want me to answer you?

Mr. JOHNSON. Yes.

Mr. MENKEN. Because your question is rather insulting. Mr. Childs gave to the league every time I asked him to.

Mr. JOHNSON. Is the question insulting or is the entry?

Mr. MENKEN. You say we want to have things concealed. If people give anonymously, that don't mean that they desire to conceal, but it simply means they don't want to get credit for it.

Mr. JOHNSON. Here is a man who has given openly many times, and for some reason or another he gives secretly at another time.

Mr. MENKEN. I didn't say "gives secretly." I said I thought one of those $500 credited to "A friend" was given by Mr. Childs, and I rather think you will find, if we could get to the date, that there was some special fund that we were getting up at the time, and Mr. Childs said, "Why, yes; I will give $500 for it." That fund was perhaps for advertising or something of that kind, where we wanted four or five thousand dollars to put an advertisement in the paper, and said, "Yes, I will something," or, "My cousin and I will give it," or something of that kind.

Mr. LYDECHER. May I speak to the witness a moment?

Mr. JOHNSON. Yes. Let it go into the record that Col. Lydecker asked to speak to the witness.

(Mr. Lydecker confers with Mr. Menken.)

Mr. MENKEN. Col. Lydecker tells me that the $500 "J. S." was J. S. Bache. He is a prominent banker here in the city.

Mr. JOHNSON. Well, but had he not theretofore given under his own name, both before and since?

Mr. MENKEN. I think he may have. I think he gave same moderate contributions at different times. I know he always gave when I asked him for it.

Mr. JOHNSON. Getting back to Mr. Choate. I find that at one time he made a contribution, and it is carried on the books in his own name, of $250; at another time he made a contribution, which is entered upon his books in his own name, of $2,500; at another time he made a contribution, which is carried upon your books in his name, of $1,000; and another time he made a contribution, which is carried upon your books, of $1,000; amounting in all to $4,750. I

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would be glad to know, if you can tell, why the donations which I have just recited were entered upon your books in his name, and that others were entered otherwise?

Mr. MENKEN. Mr. Choate came to me one day and said to me, "Now, Mr. Menken, you know I have been working for the league, and I have got a little money put away for it. I have got some good friends, too, and you can count on me for money; and when you get in the position where you need money and really need it badly, come and tell me."

Mr. JOHNSON. What did he say about having good friends?

Mr. MENKEN. He says, "I have friends who are in a position to help the league, and I can get money if you want it. Just tell me when you need money."

Mr. JOHNSON. And you inferred from that——

Mr. MENKEN (interposing). Let me finish. I became perfectly convinced, however, from my conversations with Mr. Choate that he was contributing the money himself. He asked, however, that the contributions be entered as either from a friend or anonymous. You undoubtedly can get verification of that fact from Mr. Choate's private check books.

Mr. JOHNSON. I will ask the stenographer to read my question.

(The stenographer read the question as follows:)

I would be glad to know, if you can tell me, why the donations which I have just recited were entered upon your books in his name, and that others were entered otherwise.

Mr. MENKEN. I don't know.

Mr. JOHNSON. Did he say to you in that conversation that be had some friends who would give money toward this cause, and when you needed to come to him?

Mr. MENKEN. Yes.

Mr. JOHNSON. Does that statement, coupled with the different manner of making entries upon your books, suggest that any part of the money turned in by Mr. Choate came from somebody other than himself?

Mr. MENKEN. I didn't think so.

Mr. JOHNSON. Did you furnish Mr. Bryan at the time he requested it with a list of your contributions?

Mr. MENKEN. We did.

Mr. JOHNSON. Did that list contain any entries, any anonymous entry such as we have just spoken of?

Mr. MENKEN. I simply gave directions to the auditor of the league that he prepare a statement showing the contributions. I didn't see it when it went out.

Mr. JOHNSON. You have stated that you sent a list of the donations or controbutions made to your league to Mr. Kitchin, and that you held his receipt for it?

Mr. MENKEN. Yes.

Mr. JOHNSON. Do you know whether or not that statement contained these anonymous contributions?

Mr. MENKEN. My recollection is that the statement sent to Mr. Kitchin was a complete duplicate of the receipts of the league as contained in the books of the league.

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Mr. JOHNSON. Do you know whether or not that statement was accompanied by any explanation, showing him who the anonymous contributors were?

Mr. MENKEN. No. And he did not ask any questions.

Mr. JOHNSON. And as he did not, you let an imperfect list of contributors go to him as a perfect one?

Mr. MENKEN. We sent him a copy of our books.

Mr. JOHNSON. And your books were so written that nobody could tell who furnished this money, in the instances of which I have just spoken to you?

Mr. MENKEN. In the petty instances which have been referred to, yes.

Mr. JOHNSON. What to other folks seem to be significant sums of money, are petty to you. I saw in the paper last night that Mr. T. DeWitt Tyler is down at Washington and that he had appeared before a Senate committee in behalf of the railroads. Is he one of your contributors?

Mr. MENKEN. He is.

Mr. JOHNSON. To what extent, do you know?

Mr. MENKEN. I think he gave us $2,500, if I am not mistaken. I don't know what he gave to the Philadelphia branch. I think he was quite liberal to them, but I know to the New York branch he made contributions of either $1,000 or $2,500 for our educational work.

Mr. JOHNSON. To the New York branch?

Mr. MENKEN. To the national organization.

Mr. JOHNSON. You mean he only made a contribution of $1,000 to the New York branch?

Mr. MENKEN. I said I am not clear whether it was $1,000 or $2,500.

Mr. JOHNSON. I find that he made one contribution to the New York branch of $250, and another contribution of $2,250, making $2,500 to the New York branch.

Mr. MENKEN. Then my memory is correct.

Mr. JOHNSON. When that contribution was accepted did the officers of the league know of Mr. Tyler's connection with the railroads?

Mr. MENKEN. Why, of course.

Mr. JOHNSON. Who is Mr. T. Coleman Dupont?

Mr. MENKEN. T. Coleman Dupont is the owner of the Equitable Building, and a real estate operator in the city of New York, having no connection, as I was informed before we took his contributions, with the Du Pont Powder interests; none whatsoever.

Mr. JOHNSON. Is that your information now?

Mr. MENKEN. Yes, sir; unqualifiedly so; because prior to that time we had refused to accept any contributions from munition makers, although we did get one small contribution from one of the Du Ponts, which we had accepted.

Mr. JOHNSON. Which Du Pont was that?

Mr. MENKEN. We received a contribution of $5 from Miss Du Pont. I don't know her first name.

Mr. HARRISON. Murray?

Mr. MENKEN. Miss Du Pont. I don't know her first name.

Mr. JOHNSON. I find that Mr. Simon Guggenheim gave $1,000; Mr. Murray Guggenheim gave you $250; and Daniel Guggenheim, $2,500.

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Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Making $3,750. Please tell the committee who they are.

Mr. MENKEN. Mr. Guggenheim, one of them, is ex-United States Senator from Colorado. They are interested in various corporations, according to such casual information as I have, principally mining enterprises. They have been vitally interested——

Mr. JOHNSON (interposing). And also in railroads, are they not?

Mr. MENKEN. I don't know. The Guggenheims have supported—the Guggenheims have been the backers of the movement for teaching boys how to use the rifle. They have been very much interested in all these movements, and have been very generous supporters of all the patriotic funds. In fact, I think we got less than anybody else I know of.

Mr. REAVIS. I would like to interrupt just a moment, Mr. Johnson. Do you know of their connection, very large connection, with the Colorado Fuel & Iron Co?

Mr. MENKEN. I do not.

Mr. REAVIS. Do you know of their connection with the smelters in Denver?

Mr. MENKEN. I know they are interested in many smelting propositions.

Mr. REAVIS. Do you know of their copper interests?

Mr. MENKEN. I have heard they are interested in great copper industries.

Mr. REAVIS. Did you know of any connection with the activities in which they are interested, that I have just enumerated, that were concerned in governmental contracts?

Mr. MENKEN. I did not.

Mr. JOHNSON. I find a contribution here for $250 made by Mr. J. R. de Lamar. Who is he?

Mr. MENKEN. Mr. de Lemar? J. R. de Lamar?

Mr. JOHNSON. Yes.

Mr. MENKEN. I don't know. He may be the mine owner that died the other day, but that is a pure guess on my part. I can not tell you.

Mr. JOHNSON. What kind of mines—if he is that man?

Mr. MENKEN. According to the biography I read in the paper he was very much interested in silver mines in the West. I don't know. I don't place him. I didn't get that contribution personally; somebody else brought that in.

Mr. JOHNSON. You got one from Mr. Bache that was carried anonymously?

Mr. MENKEN. It was carried anonymously. I want to say this: We got a contribution of $1,000 from Nicholas Brady, which he asked to have put in anonymously. He said he didn't care to figure in the list. You see, the trouble with these men here in New York is that once their name appears in the list as giving $1,000 to one thing, their mail immediately assumes proportions that makes congressional mail sink to insignificance, and they are not particularly anxious to have the facts of their generosity known. Now, then, you would meet that type of a man, and I remember Mr. Brady did give $1,000 that way.

Mr. JOHNSON. Before we get to Mr. Brady, let us not leave Mr. Bache.

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Mr. MENKEN. Yes; I got that from Mr. Bache.

Mr. JOHNSON. Well, I find that there is a donation carried on your books in his name of $250, as of date March 29, 1917.

Mr. MENKEN. He gave a number of times. I could always get $250 from Mr. Bache at any time I went in and said we needed money.

Mr. JOHNSON. Did you always get it so you could carry it under his own name, or anonymously?

Mr. MENKEN. I don't think he made any point about having his contributions go in anonymously.

Mr. JOHNSON. Why was it so entered?

Mr. MENKEN. I didn't say it was; I told you I didn't know whether that $500 came from him.

Mr. JOHNSON. Now, what did you say about Mr. Brady having given some money?

Mr. MENKEN. Mr. Brady gave a thousand dollars and asked to have it put down anonymously.

Mr. JOHNSON. Who is Mr. Brady?

Mr. MENKEN. Mr. Brady is—I think Mr. B. Brady is a man prominent in connection with tractions and corporate interests in the city of New York.

Mr. JOHNSON. Public utilities?

Mr. MENKEN. Public utilities.

Mr. JOHNSON. Did he give anything besides that that he gave anonymously?

Mr. MENKEN. I think he gave another thousand dollars once, and then later gave $2,500 to the educational campaign.

Mr. JOHNSON. I find that Mr. Nicholas J. Brady in January, 1915, gave $1,000; that on July 15, 1915, he gave another $1,000; and that later he gave $2,500; making $4,500; which was carried on your books in his name. May I inquire why he was willing for two $1,000 donations and one $2,500 donation to be carried upon the books in his name, and was unwilling to have another $1,000 donation carried in his name, but carried as anonymous?

Mr. MENKEN. I think the first application made to him for funds he said he would give, but he wanted to give it as an anonymous contribution; then afterwards when the league grew and its policy was defined, and so forth, he was perfectly willing to give it the other way. I am not sure, I can not tell certainly.

Mr. REAVIS. Then let me ask you, if you are not sure whether the anonymous contribution was the first one given? That does away with the explanation you have just made, does it not?

Mr. MENKEN. I can not be sure.

Mr. REAVIS. If you are not sure, does it not do away with the explanation that you have made as to his reason for wanting this $1,000 to be anonymous?

Mr. MENKEN. Yes. I can't carry the books of the league in my own mind. I want to give you a frank answer.

Mr. REAVIS. If it does do away with that reason, what is the reason?

Mr. MENKEN. As I tell you, there was one contribution he gave anonymously. Whether it was the first or last—I think it was the first, but I am not sure.

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Mr. REAVIS. If it should not be the first, and your reason just given e eliminated, what would be the reason in your judgment?

Mr. MENKEN. I am quite sure it was the first.

Mr. JOHNSON. Do you know whether or not Mr. J. Pierpont Morgan was doing purchasing on this side of the water for the British government?

Mr. MENKEN. I so read.

Mr. JOHNSON. Did he make you any contribution?

Mr. MENKEN. I think the Morgan firm refused, as a firm, to make any contribution to the work of the league, because they thought that some foolish people might criticize them.

Mr. JOHNSON. Did Mr. J. P. Morgan as an individual make you a contribution?

Mr. MENKEN. I think we did get some contribution from him individually—perhaps $1,000. Mr. Bacon did get some contributions from Mr. Morgan.

Mr. JOHNSON. Who is Mr. Bacon?

Mr. MENKEN. Mr. Bacon is ex-secretary of state and was an ex-candidate for senator in New York. He is now a colonel in France.

Mr. JOHNSON. I have on this paper the contribution made by Mr. J. P. Morgan. If you will indulge me just a moment till I find it, I will see how much it was. (After a pause.) Not finding it, I will go ahead.

Did you receive any contributions from Mr. H. C. Frick?

Mr. MENKEN. Yes.

Mr. JOHNSON. Who is he?

Mr. MENKEN. Mr. Frick is a retired capitalist, living in the city of New York in the winter, and in the State of Massachusetts in the summer.

Mr. JOHNSON. In what business has he been engaged?

Mr. MENKEN. Why, I have heard that he had been engaged in the steel business very successfully.

Mr. REAVIS. Mr. Johnson suggests that I ask you the question that I just suggested to him.

You are also informed generally that Mr. Frick is very largely interested in steel holdings now, are you not?

Mr. MENKEN. I have no information on the subject.

Mr. REAVIS. Well, you have heard rumors and statements of that kind, have you not?

Mr. MENKEN. I have.

Mr. REAVIS. General repute states that Mr. Frick is largely interested in steel holdings. Don't you know that to be true?

Mr. MENKEN. I have heard it. I don't know whether it is true or not.

Mr. JOHNSON. Do you recall how much Mr. Frick gave you?

Mr. MENKEN. I got one check for $2,500, and I think he gave a previous contribution, about the same time.

Mr. JOHNSON. The report that we have from our auditor is that Mr. Frick at one time contributed $1,000, and at another time $2,500.

Mr. MENKEN. I got the $2,500. I think he sent in the $1,000 on reading of our work in the papers—the initial $1,000. In fact, I know he did. He did it as a voluntary act without any solicitation whatsoever.

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Mr. JOHNSON. I also find that Mr. J. P. Morgan, 23 Wall Street, at one time contributed $1,000, and another time $1,500. That is taken from your books. Tell me who are the American Exporters—what is the American Exporters & Importers' Association of New York?

Mr. MENKEN. I never heard of them.

Mr. JOHNSON. Did you receive any contributions from them?

Mr. MENKEN. I don't recollect any. I don't doubt it if it is on the books.

Mr. JOHNSON. Well, taken from your books, is the statement that at one time that concern contributed $1,850 and at another time $150, making $2,000; but you don't know who they are?

Mr. MENKEN. At one time the league made a canvass by trades for funds for preparedness. We got the paint people—this work was done under the direction of Mr. Lloyd Taylor, a man who is very active in the league, and for your information I will say Mr. Taylor is a farmer. Mr. Taylor took charge——

Mr. JOHNSON (interposing). Where does Mr. Taylor live?

Mr. MENKEN. Mr. Taylor lives in New Jersey.

Mr. JOHNSON. At what place in New Jersey?

Mr. MENKEN. Why, I can't tell you the place. Perhaps if you want the information I can get it from Mr. West.

Mr. JOHNSON. Well, we will get it later.

Mr. MENKEN. And Mr. Taylor undertook to organize the different trades in a campaign to raise money, and the exporters and importers, and the varnish makers and the drug trade, and the paint trade, and the different industries throughout the city here, contributed, allotting themselves so much of the burden, the way all these canvasses are conducted, and I haven't any question but that the export and import association is one of those contributions.

Mr. JOHNSON. How much did Mr. John D. Rockefeller give you?

Mr. MENKEN. I think Mr. Rockefeller gave us, as I testified yesterday, about $35,000.

Mr. JOHNSON. I find that he gave upon one occasion $10,000, and upon another occasion $25,000.

Mr. MENKEN. I thought the $10,000 was divided into two checks.

Mr. JOHNSON. No, that is the reason why I mentioned it.

Mr. MENKEN. I only have a memory about these things; I have not looked at the books to prepare for this examination at all. Of course, I knew the books were right, and whatever they said I was willing to stand for.

Mr. JOHNSON. Mr. H. H. Rogers, did he make a contribution?

Mr. MENEKEN. Young Mr. Rogers made a contribution. You mean Capt. or Col. Rogers?

Mr. JOHNSON. I don't know, H. H. Rogers.

Mr. MENKEN. That is young Mr. Rogers. He is a military man.

Mr. JOHNSON. Is he nothing else besides a military man?

Mr. MENKEN. I don't know his vocation.

Mr. JOHNSON. Who was his father?

Mr. MENKEN. Why, I don't know that with certainty. I think it was H. H. Rogers, sr., probably, the well-known head and genius of the Standard Oil Co. But I couldn't testify positively.

Mr. JOHNSON. You are inclined to that belief, however?

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Mr. MENKEN. Yes.
Mr. JOHNSON. Do you know how much he gave you?
Mr. MENKEN. My recollection is $1,000. That subscription was btained by Col. Franklin Q. Brown.
Mr. JOHNSON. From the reports that the committee has you are rrect in that. He made two contributions, $500 each.
Mr. MENKEN. That is my recollection. Col. Brown got that subscription.
Mr. JOHNSON. Did Mr. Clarence H. Mackay give you any money?
Mr. MENKEN. Yes, sir.
Mr. JOHNSON. How much?
Mr. MENKEN. I think it was $2,500 or $5,000, I forget the amount.
Mr. JOHNSON. Who is he?
Mr. MENKEN. He is the president of the Postal Telegraph and able Co.—or was. I don't know the status quo of that warfare.
Mr. JOHNSON. Who is Mr. Eversly Childs?
Mr. MENKEN. Mr. Eversley Childs is a young man interested in he manufacturing business in this city, with two sons in the service, nd a very active believer in universal military training and service. He has always been ready to give any amount of money we asked im for.
Mr. JOHNSON. What does he manufacture?
Mr. MENKEN. I think he manufactures soap principally.
Mr. JOHNSON. Anything else?
Mr. MENKEN. Bon Ami soap and cleaning powder and things of hat kind. He is also interested, I believe, in real estate. I really know very little about his business.
Mr. JOHNSON. Do you know whether or not the Government purchased from him, or declined to purchase from him?
Mr. MENKEN. I have no information on that subject.
Mr. JOHNSON. Mr. William K. Vanderbilt, did he give you any money?
Mr. MENKEN. I think he did.
Mr. JOHNSON. How much?
Mr. MENKEN. It was either $1,000 or $2,500. That subscription was obtained by Col. Webb.
Mr. JOHNSON. Who is he?
Mr. MENKEN. Col. Webb?
Mr. JOHNSON. No; who is W. K. Vanderbilt?
Mr. MENKEN. W. K. Vanderbilt is a resident of the city of New York, at the corner of Fifty-second Street and Fifth Avenue. So far as I know he has no business.
Mr. JOHNSON. And I take it for granted you don't know what securities he holds?
Mr. MENKEN. He has never confided that fact to me.
Mr. JOHNSON. I took that for granted.
Mr. MENKEN. Thank you.
Mr. JOHNSON. Who is Mr. William P. Clyde?
Mr. MENKEN. He is an aged gentleman who lives on Fiftieth or Fifty-first Street in the city of New York, who volunteered these subscriptions. He was formerly engaged——
Mr. JOHNSON (interposing). None of them coercive?

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Mr. MENKEN. I don't know; we had to work pretty hard for some of them. They almost were. I think those were voluntary subscriptions. I think those are voluntary subscriptions, just simply from reading about our work and knowing the conditions, just like 100,000 other subscriptions we got that you are not asking about.

Mr. HARRISON. About which we will, maybe.

Mr. MENKEN. I hope so.

Mr. JOHNSON. Has Mr. Clyde ever had any business?

Mr. MENKEN. I think he was in the shipping business, judging by public repute, sir. I think he was the owner of the Clyde Line, or a stockholder in it, but he is quite an aged gentleman.

Mr. JOHNSON. Who is Mr. Arthur Curtis James?

Mr. MENKEN. Mr. Arthur Curtis James is a member of the firm of Phelps, Dodge & Co., of which Mr. Cleveland H. Dodge is a member, treasurer of the national Democratic party.

Mr. JOHNSON. Is that the only description you have of Mr. James?

Mr. MENKEN. And they are large owners of smelting and railroad properties and mining properties throughout the country.

Mr. JOHNSON. Did he make you any contributions?

Mr. MENKEN. Yes; he has been one of our most liberal contributors.

Mr. JOHNSON. How much did he give you all told?

Mr. MENKEN. Well, it will approximate, the certain money that he has pledged to give, to $35,000 or $40,000.

Mr. JOHNSON. Did he ever make any special contribution aside from the general ones that he made?

Mr. MENKEN. Well, he gave to the educational work part of this money that I speak of—and that means all the work of the league.

Mr. JOHNSON. Who is Mr. Mortimer L. Schiff, 52 Wall Street?

Mr. MENKEN. Mr. Mortimer L. Schiff is a banker engaged in business at 52 William Street, New York City.

Mr. JOHNSON. Who is Mr. Jacob Schiff?

Mr. MENKEN. Mr. Jacob Schiff is a banker situated at 52 William Street, New York City.

Mr. JOHNSON. Are they related?

Mr. MENKEN. I understand they are father and son.

Mr. JOHNSON. Did they make you any contributions?

Mr. MENKEN. Yes.

Mr. JOHNSON. How much?

Mr. MENKEN. I really can not tell you, a couple of thousand dollars between them—perhaps $2,500.

Mr. JOHNSON. It has been reported to the committee by our auditor that they gave $3,250 in different amounts.

Mr. MENKEN. That is about my impression.

Mr. JOHNSON. Who is Emerson McMillan, 40 Wall Street, New York?

Mr. MENKEN. Emerson McMillan is head of the—he has had two vocations in life. He is head of the American Light & Traction Co., and he spends the rest of his time running a system for the recovery of derelict men, to which he devotes most of his fortune. He has agents all over the United States whose business it is to report to him cases of indigent men of years, and he takes care of their physical welfare and reconstruction where possible, through agents of his own.

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Mr. JOHNSON. That is a very commendable avenue through which he spends some of his money. What is the principal avenue through which he has acquired it, if you know?

Mr. MENKEN. Through his brains.

Mr. JOHNSON. And how has he applied his brains, in what particular direction?

Mr. MENKEN. He is an organization expert, in charge of corporate matters of various kinds.

Mr. JOHNSON. What kind?

Mr. MENKEN. Well, I understand he is interested, as I said before, in light and traction propositions.

Mr. JOHNSON. How much did he give, if you recall?

Mr. MENKEN. Well, Mr. McMillan gave for special purposes always. He wanted the distinction and privilege of meeting the outlay of the league in connection with Mr. Roosevelt's trips, and he always insisted upon paying whatever money we were out of pocket for those trips, and he did it on two occasions. I think it cost him three or four thousand dollars, and I think, independently of that, I probably got him to give a little money, $500 or $250 at a time. His attitude toward the league was he would give with a special purpose that appealed to him in connection with the league work.

Mr. JOHNSON. Do your books show whether or not he gave for a special purpose?

Mr. MENKEN. No; it would probably appear in the general—I don't know how that shows. I never examined it.

Mr. JOHNSON. It is reported to the committee that he gave $4,250.

Mr. MENKEN. Well, that is about what I had it set out.

Mr. JOHNSON. I find that Mr. B. M. Baruch gave you some money.

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Who is Mr. Baruch?

Mr. MENKEN. Who is Mr. Baruch?

Mr. JOHNSON. I am not asking for my own information.

Mr. MENKEN. I beg pardon, sir.

Mr. JOHNSON. I feel that I know.

Mr. MENKEN. Mr. Baruch is an old friend and classmate of mine, who from the beginning was one of the active promoters of the league, although he refused to accept office. Mr. Baruch is the man who was a friend of preparedness in the city of New York more than any other individual. Mr. Baruch financed the Plattsburg Barracks to equip our Army officers more than any other man, when Gen. Wood was unable to obtain the funds elsewhere. Mr. Baruch is a man of large means, once a member of the stock exchange and has a stock exchange house. He lives at 6 West Fifty-second Street, and as far as I know, except for the fact that he has devoted the last two years and a half applying his organization abilities as a dollar a year man to the service of his fellow countrymen, he has no active vocation. At the present time Mr. Baruch, who contributed this money to the Security League, has been called to France to aid and advise our President and his fellow commissioners as to certain commercial problems relating to peace.

Mr. JOHNSON. What principal avocation has he had in life, through which he became rich?

Mr. MENKEN. I have never been advised as to how he got his money. I know he got it honestly, because I know Baruch.

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Mr. JOHNSON. Nobody has raised any question as to that.

Mr. MENKEN. I don't know; these questions are so unusual that I feel I have to guide them.

Mr. JOHNSON. Since you know him so intimately, I did not think I was going very far afield to ask you how he made his money.

Mr. MENKEN. He has been interested, as I understand, in railroads and industrial propositions.

Mr. JOHNSON. I find that he gave you $6,500—gave the league $6,500.

Mr. MENKEN. I think that is correct.

Mr. JOHNSON. Who is James B. Ford, of 1790 Broadway?

Mr. MENKEN. Mr. Ford is a gentleman interested in the rubber business.

Mr. JOHNSON. It is reported to the committee that he gave you $1,000 in two $500 contributions.

Mr. MENKEN. I think that is probably correct.

Mr. JOHNSON. Who is Mr. J. Kennedy Todd?

Mr. MENKEN. Mr. J. Kennedy Todd is a retired gentleman. I don't know what he was, but he was a banker at one time, living in the suburbs of New York. He gave us a couple of thousand dollars.

Mr. JOHNSON. $1,500.

Mr. MENKEN. Is that all? I thought there were two contributions of $1,000 each.

Mr. JOHNSON. Who is Charles Deering of Chicago, Ill.?

Mr. MENKEN. He is a—I think there are two Charles Deerings in Chicago.

Mr. JOHNSON. Opposite his name I have the memorandum that he is of the International Harvester Co. Do you know whether or not that is correct?

Mr. MENKEN. I don't know whether he is the plow manufacturer or not. I can't tell. There are two Deerings out there.

Mr. JOHNSON. Is the other name James Deering?

Mr. MENKEN. Possibly.

Mr. JOHNSON. Opposite his name on this statement which I have is that his address is the Harvester Building, Chicago, Ill.

Mr. MENKEN. Well, it is probably the harvester man. I know one of the Mr. Deerings is quite liberal.

Mr. JOHNSON. I find that the two of them gave you $1,550.

Mr. MENKEN. I don't recall that subscription.

Mr. JOHNSON. We will take a recess for lunch now and come back at 2 o'clock.

(Whereupon, at 1 o'clock p. m. the committee recessed until 2 o'clock p. m. this day.)

AFTER RECESS.

The committee resumed pursuant to adjournment for recess, at 2 p. m.

Mr. MENKEN. Mr. Chairman, would it be possible for me to have a five minute recess around half past 3?

Mr. JOHNSON. Yes. Mr. Menken, if you are ready, the committee is.

Mr. MENKEN. I am ready.

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Mr. JOHNSON. The committee will please come to order. Resuming the interrogation where we left off I wish to ask you, Mr. Menken, who James Stokes is?

Mr. MENKEN. James Stokes died a few months ago. He was a retired gentleman, one of the founders of the Young Men's Christian Association who, as far as I know, had been without vocation for a great many years. He was very advanced in years, over 80.

Mr. JOHNSON. What had been his earlier vocation?

Mr. MENKEN. Why, I do not know, but he is some kinsman of Mr. Cleveland Dodge, related to the great Stokes family here in New York.

Mr. JOHNSON. And who is Charles Hayden, 25 Broad Street?

Mr. MENKEN. He is a banker at that address.

Mr. JOHNSON. I see that he gave two one thousand dollar contributions, and one five hundred, making twenty-five hundred. Who is John Markle, No. 2 Rector Street?

Mr. MENKEN. He is a coal man I believe.

Mr. JOHNSON. I find that he gave $1,250. He gave $250 at one time and a thousand at another.

Mr. MENKEN. Yes.

Mr. JOHNSON. Who is R. V. Price, of 1790 Broadway?

Mr. MENKEN. Raymond V. Price was secretary—he was an officer of the United States Rubber Co., but the last two or three years he spent his entire time in connection with the preparedness movement.

Mr. JOHNSON. Prior to his activities relative to preparedness he was in the rubber business?

Mr. MENKEN. Yes.

Mr. JOHNSON. I find he gave $700. And who is J. G. White, 43 Exchange Place?

Mr. MENKEN. He is an engineer, in the engineering contracting business.

Mr. JOHNSON. Where did he work?

Mr. MENKEN. I testified as to him yesterday. He does important work all over—in any part of the world.

Mr. JOHNSON. I recall his testimony.

Mr. MENKEN. He has a very large engineering contracting business.

Mr. JOHNSON. I recall his testimony now. I find that he gave $2,000. Did any arms manufacturing concern give you any money?

Mr. MENKEN. I think we got $25 from some of the—one or perhaps two or three contributions of $25 each from some of the sergeants, who I understand, are in the arms business in Connecticut.

Mr. JOHNSON. Remington Arms Co. give you any money?

Mr. MENKEN. No.

Mr. JOHNSON. You are quite sure of that?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. Our auditor reports to us having copied from your books a contribution from the Remington Arms Co. Did you get that money?

Mr. MENKEN. Well, now, wait a moment. I would like to know of it.

Mr. JOHNSON. I have not got it before me. I had it here, but out of the great number of items——

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Mr. MENKEN. My recollection is that it was a small contribution; it might have been $5 or something like that.

Mr. BROWNE. $100; it is put down as $100.

Mr. JOHNSON. Mr. Browne says it is on the list as $100, and since he has made the suggestion that is my recollection.

Mr. MENKEN. Well, it may have come in and slipped by without my knowing it. It was against the rules of the league to receive it.

Mr. JOHNSON. I will try and locate it here in just a moment, in a few minutes, and see if I can give the figure. Do you remember where it is, Mr. Browne?

Mr. BROWNE. I will see. He reports one the 16th day, 1918.

Mr. JOHNSON. What is the amount?

Mr. BROWNE. $100—$100, I have it.

Mr. MENKEN. That is possibly a membership, a life membership in the league; I did not know of it.

Mr. JOHNSON. Still $100.

Mr. MENKEN. I accept the figures from the books; I must.

Mr. JOHNSON. I say that it would not lessen the amount.

Mr. MENKEN. No.

Mr. JOHNSON. Not remembering whether it is in evidence or not, may I ask you whether or not Mr. Coudert recently represented the Russian Government in this country?

Mr. MENKEN. I do not know. I know he was counsel for the former Russian Government.

Mr. JOHNSON. What do you mean by the former Russian Government? You mean during the Czar's life?

Mr. MENKEN. That is my impression.

Mr. WALSH. Mr. Menken, you talked with several of the publishers or editors of the New York newspapers during the early days preliminary to the forming or incorporating the league, did you not?

Mr. MENKEN. Simultaneously with its initial activity.

Mr. WALSH. Well, did you have a conference with editors or publishers?

Mr. MENKEN. No; I went to see them.

Mr. WALSH. Yes. And you received assurances from them that you would have proper publicity as to your organization's activities?

Mr. MENKEN. I do not think I asked for any assurances. I simply told them what we were trying to do, and asked them to do what they could. I did not ask them to commit themselves. You can not do that with a newspaper.

Mr. WALSH. Well, did they promise publicity?

Mr. MENKEN. I can not say that there was any definite promise from any newspaper man. I talked with them about it in order to introduce the project to them so that when it came across the desk at the city editor's—city editor's desk—that it would be something that they would have a general idea about, and know about.

Mr. WALSH. Now, recalling your testimony of yesterday, did you not say that Mr. Hearst, among the others, promised publicity pertaining to the league's activities?

Mr. MENKEN. Yes, but he did that afterwards.

Mr. WALSH. And the others were the other newspaper editors or publishers?

Mr. MENKEN. Yes.

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Mr. WALSH. Did you have any talk with the editors with reference to editorial utterances upon the question of preparedness or other matters in which the league was interested or urging?

Mr. MENKEN. Why, I discussed the the matters with different editors and newspaper men repeatedly.

Mr. WALSH. Now, if I understood you yesterday, you said that after Mr. Hearst had caused to be published in his paper an article with characteristic Hearst headlines to the effect that the National Security League had indorsed him, you had no further conversation with him?

Mr. MENKEN. No; I have never spoken to him since.

Mr. WALSH. And your attitude of breaking your relations with Mr. Hearst was more with relation to the use he made of that interview than to what you had said about him, or what he had replied to you?

Mr. MENKEN. Why, I had no relation with Mr. Hearst in the first instance, whatsoever, never had any relations with him, and never had any occasion to see him in any particular sense except once or twice I urged publicity.

Mr. WALSH. Well, he contributed to the league, did he not, and members of his family?

Mr. MENKEN. Most certainly—I do not know whether he ever contributed personally or not.

Mr. WALSH. Did you testify yesterday that he and members of his family had contributed to the league?

Mr. MENKEN. I said he contributed to the work of the league, and members of his family had contributed to the league. I do not——

Mr. WALSH. Well, did the members of his family make money contributions?

Mr. MENKEN. Mr. E. H. Clark got several—two or three substantial contributions from Mrs. Phoebe Hearst.

Mr. WALSH. And she is his wife?

Mr. MENKEN. No; she is his mother.

Mr. WALSH. His mother. Do you know of Mr. William Randolph Hearst having contributed to the league prior to this June, 1918, interview of yours?

Mr. MENKEN. I can not state positively. My impression is—I can not state positively. I will have to let it go at that.

Mr. WALSH. Well, did you ever receive a copy of this letter which is published upon the same page with your——

Mr. MENKEN. Yes.

Mr. WALSH. Interview? And, of course you read that?

Mr. MENKEN. I did.

Mr. WALSH. Now, did you take this letter, Mr. Menken, or any of the statements in there, to be an attack upon your league or the program that it was attempting to follow?

Mr. MENKEN. Only by the use and method of use.

Mr. WALSH. Mr. Hearst in his letter said: "Of course, I make my appeal to the mass of the people, because it is the mass of the people who possess the majority of votes necessary to enact into law any theory of reform." Now, that is what your National Security League was attempting to do—was to reach the mass of the people?

Mr. MENKEN. Most certainly.

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Mr. WALSH. He states further:

It is the mass of the people who will be benefited by these reforms. finally it is the mass of the people who have the foresight to see the advan of these reforms and courage to undertake the innovation.

Now, with your organization attempting to reach the mass of people who possessed the majority of votes, would you agree v that particular paragraph of Mr. Hearst's letter, which I quoted—that—

It is the mass of the people who would be benefited by the reforms, a is the mass of the people who have the foresight to see the advantage of t reforms and courage to undertake the innovation.

Mr. MENKEN. I will say this: That, of course, I agree with statement that it is the mass of the people who are to be benef by real democratic reform, and that we must look to the visior the mass of the people for the obtaining of fundamental ref under our system of representative constitutional government.

Mr. WALSH. Now, at the time you wrote your letter to Mr. Hea you were in possession of all the facts with reference to the ut ances editorially of his papers, and the other charges in the ind ment of him which you read yesterday, were you not?

Mr. MENKEN. No; there are two statements I take the liberty correcting: Firstly, the statement you referred to as a letter not——

Mr. WALSH. Interview. I beg your pardon.

Mr. MENKEN. Secondly, I had not read the Hearst papers many months at that time, and had not followed their activities.

Mr. WALSH. Has it been part of the purpose of the league to p cure a scientific manner of administration of governmental affairs

Mr. MENKEN. It was—we were interested in obtaining scient government.

Mr. WALSH. You stated yesterday that we have never had a sci tific government of our affairs.

Mr. MENKEN. That is true, sir.

Mr. WALSH. You are a student of government to a great deg are you not?

Mr. MENKEN. I would not want to say that. I am very interes in this government.

Mr. WALSH. Well, you have made a study of our form of gove ment for a great many years.

Mr. MENKEN. I have been interested in it.

Mr. WALSH. You have made a study of it, haven't you?

Mr. MENKEN. If I do not presume too much, I think I have.

Mr. WALSH. Yes; and have read a great many works?

Mr. MENKEN. Yes.

Mr. WALSH. With reference to our form of Government, and ot representative forms of government?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Do you know of any representative form of gove ment in the world that does not have in its legislative branch, mor less in number, men of such caliber, as you characterized them y terday?

Mr. MENKEN. That is unquestionably true.

Mr. WALSH. Now, it is your opinion as a member of the execu committee of the league that your organization should attempt

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procure a Congress composed of scientific men who can handle the various scientific questions?

Mr. MENKEN. I have not heard that before.

Mr. WALSH. Did you not say yesterday that we needed scientists to handle the various problems that were presented before Congress?

Mr. MENKEN. I said that many of the great governmental questions were apart from the domain of politics, and were matters requiring the expert—or the scientific expert, perhaps, was the word I used—in order to bring about a true solution.

Mr. WALSH. I suppose you intend to use the word "scientist" and "scientific expert" synonymously. The word you used, Mr. Menken, I am very sure is the word "scientist." By that you meant a scientific expert?

Mr. MENKEN. The expert, yes.

Mr. WALSH. And you were speaking then directly of trust and antitrust legislation?

Mr. MENKEN. I was talking of—speaking of that—speaking of tariff——

Mr. WALSH. Yes.

Mr. MENKEN. Where we have had 14 different tariff bills and hundreds of amendments in the history of our country, each one bringing financial disorder and unrest. I was thinking of the current question; I was thinking of the treatment of the military problem; I was thinking of various important functions of government that you gentlemen have to deal and work with in Washington.

Mr. WALSH. You——

Mr. MENKEN. And I was thinking particularly of the absence of a budget system.

Mr. WALSH. Your activities in the beginning, toward the formation of this league, were based first upon the need of more adequate State preparedness for our Army and Navy?

Mr. MENKEN. The first was to inquire whether Mr. Gardner's statements as to the need of preparedness were true——

Mr. WALSH. Well, wait a little, Mr. Menken, until we get some semblance of order in the room. [After a pause.] Now you may continue.

Mr. MENKEN. The first objective was to inquire as to the correctness of Congressman Gardner's statement as to the condition of our unpreparedness made upon the floor of Congress.

Mr. WALSH. Yes.

Mr. MENKEN. And secondly, finding out that he had correctly stated the facts, to aid in securing the appointment of a commission which would make inquiry as to the conditions and the cure, and present the facts to the people; thirdly, to awaken and arouse the people to the need of proper preparedness for defense.

Mr. WALSH. Now, at that time did you think we were being brought into the war?

Mr. MENKEN. I did.

Mr. WALSH. In 1914?

Mr. MENKEN. I did.

Mr. WALSH. And did you express those sentiments at any time during those early meetings?

Mr. MENKEN. I did.

Mr. WALSH. To whom?

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Mr. MENKEN. To hundreds of public meetings all over the Uni States.

Mr. WALSH. In 1914?

Mr. MENKEN. You see the league was not formed until the l month of 1914.

Mr. WALSH. I see; and urged haste on the part of Congress?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And were much disturbed at the delay on the p of Congress?

Mr. MENKEN. Yes, sir.

Mr. WALSH. During your study of democratic government y of course, have had occasion to read the Constitution of the Uni States.

Mr. MENKEN. Occasionally; yes, sir.

Mr. WALSH. And you know when a Congress expires or when adjourns sine die, do you?

Mr. MENKEN. I do.

Mr. WALSH. And you knew that the Sixty-third Congress expi on the 4th of March, 1915, or you know that now, do you?

Mr. MENKEN. I take the date from you, sir; yes, sir.

Mr. WALSH. Assuming that to be true, was there any way und the Constitution in which the Congress could convene except by call of the President until December, 1915?

Mr. MENKEN. I understand the Senate is always supposed to b in session.

Mr. WALSH. Yes. And the session can enact legislation witho the House being——

Mr. MENKEN. No.

Mr. WALSH. Then was there any way in which the Congress could convene unless called by the President prior to the first Monday in December, 1915?

Mr. MENKEN. No.

Mr. WALSH. And if it was not called into extraordinary session during the year 1915, it was not certainly the fault of the Congress?

Mr. MENKEN. In a general way, no; it was not their fault.

Mr. WALSH. Or in a specific way?

Mr. MENKEN. Well, I think this: If there had been a consciousness on the part of the majority of Congress that conditions were so changed as to require action on their part, and notified the President that they felt something ought to be done, and made an appeal to him to call Congress together, he certainly would have done it.

Mr. WALSH. Do you think that any such appeal or any such device on the part of Members of Congress would have resulted in the President calling Congress into extraordinary session for the purpose of dealing with preparedness——

Mr. MENKEN. Not if I——

Mr. WALSH (continuing). In view of the sentiment of the President as expressed particularly before the expiration of the Sixty-third Congress on that subject.

Mr. MENKEN. I do not.

Mr. WALSH. No. So that in a specific way it was not the fault of the Sixty-fourth Congress that it was not convened before the first Monday of December, 1915?

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Mr. MENKEN. No.
Mr. WALSH. And during that period there was urgent need in ur opinion for legislation looking toward increasing our defenses?
Mr. MENKEN. Yes, sir.
Mr. WALSH. Mr. Menken, you are a member of the American Dense Society, are you not?
Mr. MENKEN. I do not know whether I am or not, now. I once ined. I have never taken any part in it. I once went to one of e elections, and that is all.
Mr. WALSH. When did you join that, sir, if you recall?
Mr. MENKEN. I really could not tell you.
Mr. WALSH. Well, it is an older organization than the Security eague?
Mr. MENKEN. No, sir.
Mr WALSH. It has been formed since?
Mr. MENKEN. Yes, sir; formed by some person of the Security eague.
Mr. WALSH. It is a suborganization, in a sense?
Mr. MENKEN. No.
Mr. WALSH. Well, it is an organization formed by men who were iembers of the Security League?
Mr. MENKEN. Hardly that. It was——
Mr. WALSH. Do you consider it a rival organization?
Mr. MENKEN. No. They are doing much the same work. There s no rivalry.
Mr. WALSH. Yes. Their purpose was somewhat similar to the ecurity League's with reference to preparedness, was it not?
Mr. MENKEN. I judge so, from their pronouncement.
Mr. WALSH. And you have seen their charter or by-laws?
Mr. MENKEN. Never have.
Mr. WALSH. You have read some of their literature?
Mr. MENKEN. I have.
Mr. WALSH. And they are still in existence?
Mr. MENKEN. They are.
Mr. WALSH. And they are a New York organization?
Mr. MENKEN. Yes.
Mr. WALSH. Your activities, as an attorney, and your various other occupations, if I may so term them, during your life, have been confined mostly to the city of New York?
Mr. MENKEN. They have largely.
Mr. WALSH. You have traveled; you have traveled a great deal?
Mr. MENKEN. Yes.
Mr. WALSH. Throughout this country and abroad?
Mr. MENKEN. Considerably.
Mr. WALSH. Have you ever been in France.
Mr. MENKEN. Often.
Mr. WALSH. Germany?
Mr. MENKEN. Twice.
Mr. WALSH. Italy?
Mr. MENKEN. Once.
Mr. WALSH. England?
Mr. MENKEN. Often.
Mr. WALSH. How often?

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Mr. MENKEN. Seven or eight trips; perhaps nine or ten. I do no know.

Mr. WALSH. Had it ever occurred to you prior to your sitting in the gallery of the House of Commons that this country's state o defense was not what it ought to be?

Mr. MENKEN. It had.

Mr. WALSH. But no particular plan of action had come to you mind until you had heard some speakers in the English Parliament?

Mr. MENKEN. True, sir.

Mr. WALSH. Was there anything said in those speeches which lead you to believe that the United States might be brought into th conflict?

Mr. MENKEN. Only this: I realized that from those speeches and the portrayal of England's condition of unpreparedness for war du to its legislature's failure to follow Lord Robertson's advice, and that of his group, that England was unprepared to fight. I realized that Germany was fighting for world control; that if England were beaten, our trouble would be to fight Germany for our national integrity. It seemed to me perfectly clear, the handwriting on th wall, from the very first day of August, 1914, what was going t happen.

Mr. WALSH. Yes. Now, I assume, Mr. Menken, that you agree with Col. Lydecker's statement, that the purpose of the league after we got into the war was to do everything it could to help win th war?

Mr. MENKEN. That was our main objective.

Mr. WALSH. Yes, sir. You have received no compensation from the league by way of salary?

Mr. MENKEN. No, sir.

Mr. WALSH. And you have done a tremendous amount of work in several of its different lines of activity?

Mr. MENKEN. I have done what I could.

Mr. WALSH. And you have traveled to all different sections of the country?

Mr. MENKEN. Yes, sir.

Mr. WALSH. You have made speeches?

Mr. MENKEN. Yes, sir.

Mr. WALSH. You have helped to organize?

Mr. MENKEN. Yes, sir.

Mr. WALSH. You have written articles?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And you have participated in meetings of the various committees?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Are you a member of the committee of congressional activity?

Mr. MENKEN. No, sir.

Mr. WALSH. Were you ever consulted with reference to what it was doing?

Mr. MENKEN. Only as to the publication of the congressional chart and in a preliminary way before the committee began its work while I was still president.

Mr. WALSH. Now, this chart was not published until last fall, as I understand it.

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Mr. MENKEN. Early last fall, I think.

Mr. WALSH. September 12?

Mr. MENKEN. I should think is was about that time.

Mr. WALSH. August or September?

Mr. MENKEN. Yes.

Mr. WALSH. And were you consulted about what the chart should contain.

Mr. MENKEN. I do not think so.

Mr. WALSH. No; and were you consulted about having the chart compiled?

Mr. MENKEN. I do not think so. I do not believe that was discussed during my presidency.

Mr. WALSH. Do you read the Congressional Record very often?

Mr. MENKEN. No, sir.

Mr. WALSH. Do you follow the course of legislation of Congress?

Mr. MENKEN. I try to, in a general way.

Mr. WALSH. How do you follow it, through the newspapers?

Mr. MENKEN. Through reading the newspaper accounts.

Mr. WALSH. Yes. You pay particular attention to legislation dealing with military and naval matters?

Mr. MENKEN. I have been interested in that; yes.

Mr. WALSH. And those are the particular pieces of legislation that you follow through the newspapers?

Mr. MENKEN. I am interested in all legislation.

Mr. WALSH. Well, do you follow it all through the newspapers?

Mr. MENKEN. No; I can not say I do. I do the best I can. You know, we people in New York only have a hurried moment. I do the best I can.

Mr. WALSH. I realize that. But I meant whether if you saw it in the newspapers, for instance, on the 2d day of May, that the Army bill had been reported—whether you would attempt to follow in the newspapers the course of that legislation of the Congress?

Mr. MENKEN. I think I would; yes, sir.

Mr. WALSH. But if you saw that a bill providing for a public building in Mineola has been reported in the newspaper, you would not pay much attention to that?

Mr. MENKEN. That is probably true.

Mr. WALSH. Now, in attempting to educate the people of the country, you started out, as I understand you, although you did not use the exact words, with the assumption that the people of the United States were at heart loyal and patriotic?

Mr. MENKEN. With that conviction; yes, sir.

Mr. WALSH. And that all they needed was to be aroused and to have it brought to them what the exact situation was with reference to the condition of the country's state of defense, and the ability to defend itself against attack?

Mr. MENKEN. Yes, sir.

Mr. WALSH. You are willing to state, are you not, that most of the members of your organization, particularly those holding office, are men of vision and foresight?

Mr. MENKEN. I believe so.

Mr. WALSH. And they would make excellent Members of Congress?

Mr. MENKEN. I do not know about all of them. There are certainly some of them who would.

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Mr. WALSH. I say most of them.

Mr. MENKEN. I do not know about that. We have a hundred thousand members.

Mr. WALSH. Officers, I say.

Mr. MENKEN. I think many of them would.

Mr. WALSH. Do you know that your honorary vice president, Mr. Alton B. Parker, was a candidate for the presidency upon a platform which called for the reduction of our Army?

Mr. MENKEN. I have heard so.

Mr. WALSH. That was not very many years ago, comparatively speaking?

Mr. MENKEN. No. Let us see, it was 18—1902, perhaps; I do not remember now—1904; 1904, wasn't it?

Mr. WALSH. Fifteen years ago. In your opinion that would not have been too early to have been giving the attention to putting our defenses in proper shape and eliminating useless army posts and cutting out wasteful expenditure of money.

Mr. MENKEN. Considering the way that political platforms are written in party conventions, I do not think that is of any significance one way or the other.

Mr. WALSH. Well, that is not an answer to my question, Mr. Menken. I think perhaps what you have stated may be a fact, but I would prefer if you would answer the question.

Mr. MENKEN. If the stenographer will read it.

(Repeated by the stenographer:)

Mr. WALSH. In your opinion that would not have been too early to have been giving the attention to putting our defenses in proper shape and eliminating useless army posts and cutting out wasteful expenditure of money?

Mr. MENKEN. It would not.

Mr. WALSH. Now, if we had a Congress composed in both branches of supermen and men of vision and foresight, you would not expect that all measures would therefore receive unanimous votes, would you?

Mr. MENKEN. No, sir.

Mr. WALSH. And that men of vision and foresight could honorably disagree with other men of vision and foresight?

Mr. MENKEN. Certainly, sir.

Mr. WALSH. That subcaliber men might also disagree with other subcaliber and with supermen.

Mr. MENKEN. Yes, sir.

Mr. WALSH. I want to ask you as a member of the executive committee and as the first president of the Security League if you think that the men who were indicated upon your congressional chart as having voted wrong were men of whose loyalty there was any question, or of whose ability there had been no demonstration.

Mr. MENKEN. To that I will offer this: That there has been no question raised whatsoever by the Security League, as I understand it, as to the loyalty or patriotism—repeating what I said this morning—of the Members of Congress——

Mr. WALSH. Well.

Mr. MENKEN. As to their ability we differ decidedly

Mr. WALSH. You know that the league had put out a bulletin to the effect that they had embarked upon a program of publicity

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with reference to the votes of Members of Congress in order that Members of the Sixty-sixth Congress who were to be elected might be men of demonstrated loyalty and ability?

Mr. MENKEN. That was not the primary object of that campaign.

Mr. WALSH. That was the statement of the bulletin, was it not?

Mr. MENKEN. I believe it was.

Mr. WALSH. And the plain inference that would be conveyed to the ordinary person was that there were men upon the chart, which in most instances accompanied that bulletin—there were names of men upon that chart whose loyalty was questioned?

Mr. MENKEN. I did not so understand it.

Mr. WALSH. I would ask you if that would not be the inference that would be conveyed to the ordinary person?

Mr. MENKEN. I would like to see the language you refer to before I answer that question.

Mr. WALSH. Well, I think I can find that bulletin.

Mr. MENKEN. I think it is on page 15—page 7 of the bulletin which you refer to, third column.

Mr. WALSH. I call your attention to the statement in the September Bulletin of the National Security League, volume 1, No. 4, page 4, to a paragraph headed: "League's congressional campaign obtaining gratifying results. Gratifying results are being obtained by the league's congressional committee which is prosecuting an aggressive nonpartisan campaign in all parts of the country to insure the election to Congress this fall of men of demonstrated loyalty and ability." Now, I would ask you if the plain inference to be drawn from that statement by the ordinary person to whose attention it might be called was that there were members of Congress whose names were on the congressional chart about whose loyalty there had been raised some question?

Mr. MENKEN. No.

Mr. WALSH. You were not seeking to elect members of Congress who had voted wrong on all the eight test votes, were you?

Mr. MENKEN. No.

Mr. WALSH. And you were not seeking to defeat men who were opposing members of Congress for reelection who voted right on all the eight test votes?

Mr. MENKEN. No.

Mr. WALSH. Do you know what purpose the congressional committee had in mind in preparing and circulating that chart?

Mr. MENKEN. I think they simply wanted to give the information to those who read it as to the vote of Congressmen on the measures chartered there.

Mr. WALSH. That is your opinion?

Mr. MENKEN. Yes.

Mr. WALSH. Now, Mr. Menken, the greater part of the contributions which you procured to the work of the Security League were procured by you in all about New York, were they not?

Mr. MENKEN. I think that is true.

Mr. WALSH. Do you think that some consideration ought to be given in your attempt to educate the voters and enlighten them upon the subjects which your league is interested in, to the viewpoint of the citizen who lives in sparsely settled districts?

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Mr. MENKEN. By all means.

Mr. WALSH. And have you any members or officers who ar familiar with conditions obtaining in the more sparsely settled sec tions of the country?

Mr. MENKEN. Yes, sir, and working in the broadest way.

Mr. WALSH. What officer of your organization is familiar witl conditions obtaining in the sparsely settled districts of the country!

Mr. MENKEN. We have a training school in California that w are helping to finance and conduct; in Colorado——

Mr. WALSH. I did not ask you what you had in Colorado or in California. I asked you what officer.

Mr. MENKEN. Prof. Libby of Colorado.

Mr. WALSH. What office does he hold?

Mr. MENKEN. Member of the executive committee.

Mr. WALSH. And he is conducting some training school for speeche out there?

Mr. MENKEN. No; he is conducting an educational campaign of the school teachers of the school system in the Middle Western States.

Mr. WALSH. Amongst the teachers?

Mr. MENKEN. Yes, sir.

Mr. WALSH. In the Middle Western States?

Mr. MENKEN. Yes; Far Western, Middle Western.

Mr. WALSH. To instill patriotism into their hearts.

Mr. MENKEN: To teach them how to teach a subject which we felt had not been properly taught in this country, to wit, citizenship and civics, and equip them to equip their pupils with knowledge of the problems of America.

Mr. WALSH. So your organization here in New York sent out men to Colorado to instruct their teachers how they should teach civics to the youth of Colorado?

Mr. MENKEN. That is true, and other States.

Mr. WALSH. Well, now, if you persist in that and continue there i not very much need of a Federal department of education is there Mr. Menken?

Mr. MENKEN. There is.

Mr. WALSH. Why?

Mr. MENKEN. For the simple reason that no volunteer organiza tion has either the prestige or the power, even by way of suggestio (which is all we were trying to do) that our great Federal Govern ment could have, if they had had a national department of educa tion properly financed. We give our entire national department c education in the United States the vast sum of $150,000 a year pric to last year. That is all the Federal Government gives for educa tion in this country. The result is that there is a lack of unificatio in educational efforts throughout the country which require som other stimulus; and it is because of that fact that we have urged in creased Federal activity and interest in education throughout th country.

Mr. WALSH. Well, you spend more than that in probably tw weeks in New York on your educational system, don't you?

Mr. MENKEN. Who is "you," sir?

Mr. WALSH. The city of New York. At least, they spend vastl more.

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Mr. MENKEN. We spend that much a day in the city of New York.

Mr. WALSH. For your educational system?

Mr. MENKEN. Yes.

Mr. WALSH. And are you putting instructors into the schools of New York to tell the teachers how to teach civics?

Mr. MENKEN. Yes, sir; we have. We have had——

Mr. WALSH. How do you——

Mr. MENKEN. Wait a moment. Let me answer it. That is true. In New York we have given two lectures a week. Thirty thousand——

Mr. WALSH. How does it happen that in all the schools of the Middle West——

Mr. WALSH. (To the stenographer). Strike that out.

Mr. WALSH. Can you explain how it is that in California and Colorado and in New York City, the board of education or the educational authorities have employed teachers that do not know how to teach civics?

Mr. MENKEN. Firstly—yes; I can.

Mr. WALSH. Will you please give me your explanation, there?

Mr. MENKEN. Firstly, the teaching profession is an underpaid profession. The average rural teacher regards teaching as a scholarship between the period of graduation from the high school and marriage. It is an incidental employment. The great body of teachers—the grade of teachers throughout the country varies tremendously. The boards of education have used the text books that are supplied to them. An examination of those text books will show you, sir, that the teaching of civics has never developed itself upon a basis that would equip the citizen to meet the citizenship obligation. The average book on civics tells the pupil through the teacher that there is a legislature, that there is a board of alderman; that there is a mayor; that there are these and those officers. But it does not point out the ultimate function or purpose of democratic government in any of its broad phases whatsoever.

Mr. WALSH. That is the reason teachers in California and Colorado and New York do not know how to teach civics?

Mr. MENKEN. That is the reason why they need it, to have brought to their attention the need of greater instruction in citizenship matters in order to equip the people of this country to solve the problems of citizenship, not alone now, but in the future.

Mr. WALSH. And those are the reasons why the teachers in California and Colorado and New York City do not know how to teach civics?

Mr. MENKEN. Among others, yes.

Mr. WALSH. Well, would it not have been easier of accomplishment, to have brought to the attention of the board of education on those States this deficiency in their teaching force and have endeavored to procure a proper text book——

Mr. MENKEN. I am listening, sir. I am just getting these out [referring to some papers and books].

Mr. WALSH. Yes—proper textbooks and raising the examination requirements of the teachers.

Mr. MENKEN. That is exactly what we did, and we supplied them with the textbooks, and they are using them in thousands of places throughout the United States.

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Mr. WALSH. Well, you supplied them with the textbooks?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Now, you also had to teach the teachers how to teach from the textbooks?

Mr. MENKEN. Yes, sir; and we went into that.

Mr. WALSH. The ordinary teacher in Colorado, California, and New York City——

Mr. MENKEN. And elsewhere.

Mr. WALSH. Those are the three places that I am mentioning that you first mentioned in your reply—I am not of sufficient intelligence to comprehend the subject matter of the textbooks which you supplied without being taught how to teach from them.

Mr. MENKEN. We supplemented them by lectures and conferences in the broadest way we could.

Mr. WALSH. And might I ask, Mr. Menken, with what success this policy and program have met?

Mr. MENKEN. Well, the city of Chicago——

Mr. WALSH. No; I mean in California, Colorado, and New York City.

Mr. MENKEN. I would rather have Prof. McElroy, who has been following that work, testify on that. He has been through the campaign.

Mr. WALSH. I mean from your observation and opinion about it.

Mr. MENKEN. I have——

Mr. WALSH. Not details, but——

Mr. MENKEN. Why, the testimonial of the educator throughout the Middle West and South has been one of the keenest appreciation of the work we did, as of the utmost value to them in developing their educational system. They received it with gratitude, and they understood the spirit with which we went into the work.

Mr. WALSH. In California, Colorado, and New York City.

Mr. MENKEN. In Massachuseetts. We have a training school in Massachusetts at Lowell.

Mr. WALSH. I am sure one is needed in Massachusetts. But I am asking you of California, Colorado, and New York City, Mr. Menken—your observations as to the success of your policy and program. Now, in those three States, has it proved to be successful?

Mr. MENKEN. It has.

Mr. WALSH. And resulted in benefit not only to the teaching force but to the youth who had been taught.

Mr. MENKEN. I can only say that the teachers have expressed their appreciation and that we have had the support of the board of education here to the nth power.

Mr. WALSH. Yes. And, of course, the money that has expended—that has been expended for that by the league would be in a sense so much money saved for the board of education?

Mr. MENKEN. I do not think so, sir, at all; because there were supplemental lectures on subjects that the board of education were not specially dealing with; and the fact is they paid in some instances some of the expenses. We brought on the leading educators of Chicago here to speak for a week in all the public schools to all the teachers. We sent leading educators from New York to speak in the Middle West, to have an exchange of ideas and exchange of

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thought, and my recollection is—Dr. McElroy can testify exactly—that the respective cities paid the traveling expenses and the hotel bills of the people visiting them.

Mr WALSH. Yes, sir. Well, have you attempted any activities along the line of instructing the adults in the fundamentals of civic government?

Mr. MENKEN. We have.

Mr. WALSH. Had night schools—not lectures, I mean.

Mr. MENKEN. Yes, we maintain a speakers' bureau under the direction of a capable head, and we have had a vast number of speakers. We have sent them into the factories, into the forums which are connected with our night schools, and my best recollection is that in this vicinity alone we held something like 700 meetings in a period—I can not state exactly—of five or six months. The chairman made her report, and I forget the exact figures; I think it is 675 meetings in six months. The chairman of that committee was Mrs. Frances Cleveland Preston, the widow of our late honored President Grover Cleveland.

Mr. WALSH. Of course, Mr. Menken, the league in attempting to educate the people upon the various subjects have been obliged to make use of many different avenues of publicity.

Mr. MENKEN. Yes, sir.

Mr. WALSH. And it has pointed to newspaper matter, already printed, I think, called "boiler type" matter, "boiler plate"——

Mr. MENKEN. "Boiler plate."

Mr. WALSH. Had furnished large quantities of that.

Mr. MENKEN. Considerable, yes, sir.

Mr. WALSH. Those articles would be written by members of the organization, sent to the newspapers, and would be published.

Mr. MENKEN. Why, they would be written by any—they would be taken from any written source or spoken word that appealed to the committee that made up the "boiler plate," not limiting it to members of the league.

Mr. WALSH. You are familiar with the program as outlined in the December bulletin as to the future activities of your organization?

Mr. MENKEN. I have read it; yes.

Mr. WALSH. I want to ask you the question which I asked Col. Lydecker, to get your opinion as a former president and member of the executive committee, and one of the active workers of your organization—if in what your league did in the congressional campaign, circulating the charts and bulletins and the the activities it pursued. it was participating in a political campaign.

Mr. MENKEN. No, sir.

Mr. WALSH. It was a political matter.

Mr. MENKEN. All matters that relate to our country are political.

Mr. WALSH. And these related to your country?

Mr. MENKEN. Yes.

Mr. WALSH. And so, therefore, a political matter?

Mr. MENKEN. In that sense.

Mr. WALSH. Yes; in the sense only that it related to our country.

Mr. MENKEN. That is all.

Mr. WALSH. And not in the sense that it related to a contest for office in which the chart and bulletin, or circular, which you had

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issued and circulated, conveyed information which if true would undoubtedly have a bearing upon the result of the vote passed.

Mr. MENKEN. I am of the same opinion.

Mr. WALSH. And that is not engageing in a political activity?

Mr. MENKEN. I do not think so.

Mr. WALSH. In attempting to influence a political result?

Mr. MENKEN. We were not trying to influence any particular political result, as I understand it.

Mr. WALSH. Well, Mr. Menken, you were trying to influence particular results in the aggregate, so to speak, weren't you?

Mr. MENKEN. Certain general standards were aimed at.

Mr. WALSH. Yes; and you as a former president of the league and as a member of the executive committee, would have been immensely pleased if all but the 47 men on the league's honor roll had been defeated?

Mr. MENKEN. I would not.

Mr. WALSH. You would have been disappointed if they had all been elected?

Mr. MENKEN. I would.

Mr. WALSH. And they were not all elected?

Mr. SAUNDERS. Do you still say that in view of the fact that Mr. Walsh was one of those forty-seven?

Mr. MENKEN. (Laughter.) The greater includes the lesser here.

Mr. WALSH. Well, I believe you wanted five minutes about this time, didn't you?

Mr. MENKEN. I would like to go to the telephone at half past three; that is all.

Mr. WALSH. Oh, half past 3? I thought it was half past 3.

Mr. MENKEN. Thank you very much for thinking of it.

Mr. WALSH. I thought we might go along with these little pleasantries during the five minutes now. I will try to get my mind back to where I was before I was made the subject of these doubtful compliments.

Now, Mr. Menken, in issuing this congressional chart, taking it in connection with the item in your bulletin, were you not by stating that certain men had voted wrong on eight particular votes seeking to convey the impression that there was room for improvement in the selection of Members of Congress, and that Members of the Sixty-sixth Congress should be chosen who were of demonstrated loyalty and ability?

Mr. MENKEN. I started to say to you the primary object of this campaign when it was first suggested was to elect the "Win-the-War" Congress.

Mr. WALSH. No, no, Mr. Menken; I beg your pardon. If you will just answer that question—

Mr. MENKEN. Read the question.

Mr. WALSH. (Repeated by the stenographer.) Now, Mr. Menken, in issuing this congressional chart, taking it in connection with the item in your bulletin, were you not by stating that certain men had voted wrong on eight particular votes seeking to convey the impression that there was room for improvement in the selection of Members of Congress, and that Members of the Sixty-sixth Congress should be chosen who were of demonstrated loyalty and ability?

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Mr. MENKEN. It is a pretty much complicated question.

Mr. WALSH. It sounds much more complicated than when I asked it. Well, I am willing to have that stricken out, Mr. Menken. I will ask you now as a former member of the league, and a member of the executive committee, if in the issuance of that executive chart, and its circulation, and the distribution of the bulletins and circulars pertaining to the congressional elections, the league was not seeking to impress upon the voters that there was need of improvement in the loyalty and ability of the Members of Congress.

Mr. MENKEN. If you leave out the word "loyalty" my answer is yes.

Mr. WALSH. What is your answer if I do not leave it out?

Mr. MENKEN. It is impossible to answer the question, because it is both yes and no.

Mr. WALSH. Well, then, if I leave out the word "loyalty" you said yes?

Mr. MENKEN. Ability; yes.

Mr. WALSH. Although——

Mr. MENKEN. Wait a moment. I would better be frank with you. And to prevent the election of disloyal men. There were many districts here where the Socialists could, owing to the split in the parties, readily have elected a certain type of Socialist. Where I speak of Socialists, I do not mean all Socialists. And, of course, we were very anxious to prevent that type of man being reelected.

Mr. WALSH. You were very anxious to prevent Socialists being elected from the great metropolitan district of New York, but were not particularly interested in other districts where Socialists were candidates?

Mr. MENKEN. Oh, yes, we were.

Mr. WALSH. Well, why didn't you attempt to bring about a fusion in the Milwaukee district of Wisconsin.

Mr. MENKEN. I understood they did attempt that; I do not know. I think you will find that so when you get Mr. Orth on the stand.

Mr. WALSH. That they did attempt to?

Mr. MENKEN. Yes, sir.

Mr. WALSH. But you circulated the chart in the Milwaukee district which showed that the sitting Member had voted wrong on your eight tests, and it resulted in the election of the Socialist up there, did it not?

Mr. MENKEN. I don't know; I have not examined it.

Mr. WALSH. Well, you knew Mr. Victor Berger was elected to the Sixty-sixth Congress from one of the Milwaukee districts in Wisconsin?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Who has recently been found guilty of treasonable utterances and publications.

Mr. MENKEN. I so read.

Mr. WALSH. Do you know or do you not know, Mr. Menken, that your league sent into the particular district copies of this congressional chart and the circulars and bulletins pertaining to congressional election, conveying the information to the voters of that particular district that Mr. Stafford had voted wrong on the league's eight test vote?

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Mr. MENKEN. I do not know.

Mr. WALSH. You do not know that. Would you be surprised if that were the fact?

Mr. MENKEN. No.

Mr. WALSH. Now, in endeavoring to enlighten the voters, educate the voters, your organization used the word on this charge explaining what the mark meant, that where certain marks appeared, it would indicate that the Member voted wrong?

Mr. MENKEN. Yes.

Mr. WALSH. Did you see this chart before it went out at all?

Mr. MENKEN. No.

Mr. WALSH. Then, I will ask you as a former president of the league, and one of its active workers, and members of the executive committee, what your understanding is of the question on that chart: "What are you going to do about it"?

Mr. MENKEN. I think it means just what it says—"What are you going to do about it"?

Mr. WALSH. To whom was it addressed, in your opinion?

Mr. MENKEN. To the people who received it. I do not know who received it, but it appealed to them to think it over, to determine what they were going to do about it.

Mr. WALSH. It on its face, Mr. Menken, presented a condition which required something being done about it, didn't it?

Mr. MENKEN. I think it did.

Mr. WALSH. And it presented a number of men who voted wrong on the eight test votes?

Mr. MENKEN. I so understand.

Mr. WALSH. And that needed something done about it?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And that need was not their reelection, was it?

Mr. MENKEN. I think that is the way I should have felt about it.

Mr. WALSH. Yes. And the men who voted right on all the eight votes, that need was not their defeat, was it?

Mr. MENKEN. No.

Mr. WALSH. And it made no difference how the 47 men who voted right on all your 8 test votes on other measures; or did it make any difference how the other 200-odd members who voted wrong on all or some of the 8 test votes, voted on all the other measures?

Mr. MENKEN. I would not say that at all.

Mr. WALSH. Well, you did not convey any information to educate the voters as to how any of these Members voted on anything except the eight votes, did you?

Mr. MENKEN. I did not prepare that chart; but I do not think it was the conclusion of the secretary——

Mr. WALSH. When I say "you" I am not attempting to be personal. I mean the league.

Mr. MENKEN. No. They had to limit it to certain questions and they did the best they could.

Mr. WALSH. If you felt that the need of preparedness was so great, and existed since 1914, how was it that you did not take into consideration measures that came up in the Sixty-third Congress? Do you know? Did you ever make any suggestion as to that?

Mr. MENKEN. No; I do not know, and I did not make any suggestion.

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Mr. WALSH. Of course, in a matter relating to patriotism and loyalty solely there in little room for difference of opinion; isn't that so, Mr. Menken?

Mr. MENKEN. I believe so.

Mr. WALSH. Yes.

Mr. MENKEN. Given the standards.

Mr. WALSH. And if Members of Congress who had occupied that position for years had voted against extraordinary increases in our military or naval defenses, but had voted for moderate increases, and after the declaration of war had voted for every measure necessary to prosecute the war, you would not contend that there was any qustion as to such Members' loyalty or patriotism?

Mr. MENKEN. I certainly would not.

Mr. WALSH. You would criticize, I believe, his foresight, perhaps.

Mr. MENKEN. Probably.

Mr. WALSH. Yes. Did you receive any particular message from anybody in France or Great Britain upon the occasion of your last visit to convey to the American people?

Mr. MENKEN. I did not.

Mr. WALSH. Did you consult or confer with anybody in either of these countries with reference to arousing sentiment in America upon the subject of the war

Mr. MENKEN. You mean before I formed the league—helped to organize the league?

Mr. WALSH. Yes, your last visit.

Mr. MENKEN. No.

Mr. WALSH. One of the purposes of the league, as set forth in its charter or by-laws was to protect or increase our preparedness conditions as a more effectual assurance against war, was it not?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And yet at the time you were forming this league, and it was being incorporated, you felt that we were being drawn into the war?

Mr. MENKEN. I felt the way to prevent war was to be prepared against war, and the first document we got out was a little document that I have here on those lines, on that basis.

Mr. WALSH. Well, I suppose that is partially responsive to my question.

Mr. CARAWAY. May I see that?

Mr. MENKEN. It is George Washington's address to the Congress in 1793 on the subject.

Mr. WALSH. Did you draw the charter of the league?

Mr. MENKEN. I did not.

Mr. WALSH. Who did?

Mr. MENKEN. John H. Iselin.

Mr. WALSH. John H. Iselin?

Mr. MENKEN. Yes.

Mr. WALSH. An attorney?

Mr. MENKEN. He is an attorney, member of the firm of Anderson, Iselin & Anderson.

Mr. WALSH. Prepared the by-laws of the league?

Mr. MENKEN. I think he did that, too.

Mr. WALSH. Well, is he a member?

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Mr. MENKEN. He was one of our active members, and is a member of the league, I believe, now.

Mr. WALSH. Was he one of the charter members?

Mr. MENKEN. One of the earliest members.

Mr. WALSH. Some of your early members were not in accordance with your views about this country being drawn into the European war, were they, at the time the league was formed?

Mr. MENKEN. Why, I presume not everybody; we were not all of one opinion.

Mr. WALSH. You stated yesterday that you understood Gen. Petain——

Mr. MENKEN. Gen. Petain—yes.

Mr. WALSH. Petain made the assertion that the arrival of the American troops 15 minutes later would have resulted in the loss of the war?

Mr. MENKEN. Would have been too late was what he said.

Mr. WALSH. Too late to win the war?

Mr. MENKEN. That was the inference that I got from his remarks: yes, sir.

Mr. WALSH. Do you think that is so?

Mr. MENKEN. I think it would have been very disastrous, judging from what I have heard as to conditions on the front at that time.

Mr. WALSH. And you further think that if we had been in a better state of preparedness, or more adequately prepared at the time the *Lusitania* was sunk, and these acts of aggression were being committed on the part of Germany, either they would not have been committed or that we would not have gotten into this war?

Mr. MENKEN. I do.

Mr. WALSH. Well, if we had not gotten into the war, the chances are that the American troops would not have arrived 15 minutes ahead of a too late period, and that Germany might have won; isn't that so? Isn't that true?

Mr. MENKEN. I think if we had proper naval preparedness, Germany never could have waged war in violation of the international code, and that the war conditions would have been very different. But the fact that we were too weak to protect our shipping and had to rely entirely on the—or to a large degree—on the British Navy, created conditions there that changed the entire course of the war. The effect of the submarine was tremendous and fearful for a very long time.

Mr. WALSH. And you think that if we had had a Navy equal to Great Britain, and an Army of 450,000 men with our coast defenses in better condition, with arms and ammunition, we might not have been brought into the war?

Mr. MENKEN. I think it is very likely. I think the probability is that way.

Mr. WALSH. You think the probabilities are that way, and that the allies would have defeated Germany notwithstanding our nonparticipation?

Mr. MENKEN. I think the entire course of the war would have been different if Germany had not known the absolute fact as to the weakness of America's position, from a military and naval point of view.

Mr. WALSH. Yes. Now, Mr. Menken, you will admit that prac-

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tically since our foundation as a government under the Constitution, we have been a peace-loving people?

Mr. MENKEN. Yes.

Mr. WALSH. And that, as the President stated in his address to Congress, it was a terrible thing to turn this peace-loving Nation into a vast war machine, or substantially that?

Mr. MENKEN. I do not think so at all.

Mr. WALSH. Well, public sentiment had to be aroused.

Mr. MENKEN. Unquestionably.

Mr. WALSH. And it was aroused at the time of the sinking of the *Lusitania*, was it not?

Mr. MENKEN. To a very large degree.

Mr. WALSH. And it had to be constantly inspired, so to speak, did it not?

Mr. MENKEN. I do not know what you mean by the word "inspired," sir.

Mr. WALSH. Well, perhaps that is a clumsy way of putting it. The sentiment of the country had to be aroused and continuously stimulated——

Mr. MENKEN. I don't——

Mr. WALSH. As to the patriotic need of the hour.

Mr. MENKEN. I would not put it that way. I think Germany was doing all the stimulating that was necessary.

Mr. WALSH. Well, did she do all the arousing that was necessary?

Mr. MENKEN. I think Germany did the major part of the arousing.

Mr. WALSH. Why, I thought your league did a good share of that?

Mr. MENKEN. We urged—the German pointed to the necessity of war. We urged the necessity for preparation. We never—the security league never advocated war, you know.

Mr. WALSH. No; that is so. Although some of its very prominent members saw that we were slowly being brought into it.

Mr. MENKEN. Sure.

Mr. WALSH. Well, you simply urged preparation for war?

Mr. MENKEN. Against war.

Mr. WALSH. As against war?

Mr. MENKEN. That is, preparation for defense.

Mr. WALSH. Preparation for defense. And you contend that you have been very successful; your league has been very successful about that?

Mr. MENKEN. I think we aided in awakening the public mind to the necessity; yes.

Mr. WALSH. When, as a matter of fact, before we entered the war, we had not enacted very much legislation out of the ordinary, had we, for defense?

Mr. MENKEN. No; but the ground was broken. You felt that there was a great deal of support in districts for preparedness measures, and enough had been done to show you that you would have much support.

Mr. WALSH. Well, you do not contend, Mr. Menken, that your league was successful in having enacted a single measure before we entered this war looking toward better preparedness or defense of this country against war, do you?

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Mr. MENKEN. Yes; I think so. I think——

Mr. WALSH. What measure?

Mr. MENKEN. I think it was the agitation of the defense societies throughout the country, and the patriotic committee that got through the increase in the Army from 95,000 to 140,000.

Mr. WALSH. Yes——

Mr. MENKEN. That made it easy for the naval bills to go through, such as they were, and generally made the path of the advocate of such preparedness as we got through Congress easy.

Now may I have that five-minutes recess?

Mr. WALSH. Certainly. I beg your pardon. I did not think we had run over.

Mr. LYDECKER. If I may ask a correction at this time, I will do it—just one liftle correction in my testimony.

Mr. WALSH. I think you had better wait.

Mr. LYDECKER. It is only the name of a man.

Mr. JOHNSON. Make the correction.

Mr. LYDECKER. Col. Lydecker states that on page 391 of the stenographer's minutes of his testimony on the 6th day of January it is stated that "we were engaged in the activity of making patriotic organizations of the schools and the high schools under the plan that Dr. Preston had arranged." It should have been Breasted, Dr. Breasted.

(Recess for a few minutes.)

AFTER RECESS.

Mr. WALSH. Mr. Menken, do you know of any particular measure which your honorary president, Mr. Elihu Root, urged or endeavored to have passed while a member of the Senate of the United States looking toward a more adequate state of preparedness?

Mr. MENKEN. I would rather have Mr. Root answer that question. I do not know.

Mr. WALSH. I ask you if you knew.

Mr. MENKEN. I do not. I did not follow his activities.

Mr. WALSH. But if it is a matter of fact that he did not urge or propose any measure looking toward more adequate defense you would not characterize him as a man lacking in vision, would you?

Mr. MENKEN. I would have to know his reason and purposes.

Mr. WALSH. And wouldn't you also like to know the reason and purpose of Members of the House of Representatives who failed to urge a more adequate state of defense for our country before you characterized them as lacking in vision?

Mr. MENKEN. Yes; unless it affected questions that are regarded as fundamental.

Mr. WALSH. Well, what do you mean by that?

Mr. MENKEN. Take the question like the conscription law. I regard that as fundamental, and there can not be any ground for difference between two well-informed intelligents minds on that subject as it was necessary to view it at the time of our entrance into the war.

Mr. WALSH. Yes. Well, do you think it would have been possible to have so aroused the spirit of the American people so that con-

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scription would not have been necessary in order to raise the Army to fight the war which we entered?

Mr. MENKEN. I do not.

Mr. WALSH. Do you think that is because the war was being waged across the sea, or do you——

Mr. MENKEN. That is the principal reason. The war was far off.

Mr. WALSH. Three thousand miles distant. As I understand it, Mr. Menken, in your criticism of Congress you stated that is a war to a greater or less extent lacking in vision and comprehension of the needs of the world?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And do you think that is true of the Sixty-fifth Congress?

Mr. MENKEN. I do.

Mr. WALSH. And you formed that judgment from the activities of the Congress as you followed them in reading the daily papers?

Mr. MENKEN. And the nonactivities.

Mr. WALSH. And the nonactivities. You would not read about much nonactivity in the daily paper, would you?

Mr. MENKEN. There was one very important nonactivity that I read of.

Mr. WALSH. What was that?

Mr. MENKEN. "Failure to provide proper machinery by commission for the treatment of reconstruction problems." That matter was referred to and brought before Congress; I can not tell you how—according to the technicalities of your procedure; but it was certainly brought to your attention.

Mr. WALSH. You mean the Weeks Commission, so called?

Mr. MENKEN. Senator Weeks was the prime mover of the resolution in the Senate, and I understand there was another plan also presented. The details——

Mr. WALSH. In the House?

Mr. MENKEN. ——Escaped me for the moment. I considered that one of the very vital things, the failure of which will be reflected in resultant conditions for perhaps a generation to come.

Mr. WALSH. I want to read you a few words, Mr. Menken, and ask you if you think they are not justified, and do not truthfully state the facts:

> The Sixty-fifth Congress now adjourning deserves the gratitude and appreciation of the people whose will and purpose I believe it has faithfully expressed. One can not examine the record of its action without being impressed by its completeness, its courage, and its full comprehension of a great task. The needs of the Army and the Navy have been met in a way that assures the effectiveness of American arms; and the war-making branch of the Government has been abundantly equipped with the powers that were necessary to make the action of the Nation effective. I believe that it has also in equal degree, and as far as possible, in the face of war, safeguarded the rights of the people, and kept in mind the consideration of social justice so often obscured in the hasty readjustments of such a crisis. It seems to me that the work of this remarkable session has not only been done thoroughly, but that it has also been done with the utmost despatch possible in the circumstances consistent with a full consideration of the exceedingly critical matters dealt with. Best of all, it has left no doubt as to the spirit and determination of the country, but has affirmed them as loyally and emphatically as our fine soldiers will affirm them on the firing line. (Words written at the conclusion of the war session, of the first session of the Sixty-fifth Congress by the President of the United States.)

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Mr. MENKEN. I agree with the latter part of that statement, especially where it refers to the enactment of Army and Navy bills. I doubt whether I would be willing to go—and to the expression of the purpose and determination of the people of the United States. I was proud of the declarations of Congress in that regard, and I considered the achievement of the President in inducing the passage of the legislation of the character adopted by Congress the greatest of his achievements—but I would not go so far as to say that Congress had provided for the solution of questions of social justice or done everything possible as that article states.

Mr. WALSH. You do not believe that it did in equal degree, and as far as possible, in the face of war, keep in mind the consideration of social justice so often obscured in the hasty readjustment of such a crisis?

Mr. MENKEN. I do not think they dealt with those problems in the fullest sense. Perhaps they were too busy; they had a great deal to do. But I do not think those problems have been dealt with in the way that Congresses in the future will have to deal with them.

Mr. WALSH. Of course, you will agree, Mr. Menken, that the President had as good an opportunity as yourself to observe the work of Congress, perhaps a little better?

Mr. MENKEN. Unquestionably a great deal better.

Mr. WALSH. Do you agree that in enacting this war legislation it had a full comprehension of the great task?

Mr. MENKEN. I do not know about the comprehension; but the result of the legislation is conclusive.

Mr. WALSH. You complained, as I understand it, or criticized the delay in the passage of the Army bill?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Do you know when that measure was reported to Congress?

Mr. MENKEN. I was asked that question before.

Mr. WALSH. Well, I have forgotten it. Perhaps I was out.

Mr. MENKEN. And I answered it. I felt very restless about the thing at the time.

Mr. WALSH. As I recall, you felt that some plan should have been formulated to have been presented immediately war was declared?

Mr. MENKEN. Yes, sir.

Mr. WALSH. So that it would have been unnecessary to have any extensive hearings or conferences with the war officials?

Mr. MENKEN. I felt that even if we could not have military preparedness, we certainly could have had legislative preparedness to provide machinery for war once we got into war.

Mr. WALSH. And you think that the committees of—you think that committees of Congress can formulate bills and measures contingent upon the happening of certain events, and put them away to be pulled out of the pigeon holes on the happening of the events and enacted into legislation?

Mr. MENKEN. Generally, I think, that would be thoroughly impracticable, but after the *Lusitania* incident, and the drift of events, it seems to me that on the question of national defense, and the preservation of the integrity of our Nation, it was reasonable to expect that there would be absolute legislative preparedness on the part of Congress.

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Mr. WALSH. Well, by legislative preparedness you do not mean the enactment of legislation?

Mr. MENKEN. No, but the measure being ready for enactment.

Mr. WALSH. Well, of course, you appreciate that the Committee on Military Affairs and the Committee on Naval Affairs generally do not draft the measures which they report to the House.

Mr. MENKEN. No, largely not.

Mr. WALSH. And that they would have to depend upon the advisors to the President for that sort of legislation?

Mr. MENKEN. They should depend upon them; yes.

Mr. WALSH. And that to attempt to draft, or to hold hearings, or to have put into form a bill looking toward greater preparedness, or the contingency of war, might easily be misconstrued by people with whom we were at peace.

Mr. MENKEN. If the fact was proclaimed from the housetops, yes.

Mr. WALSH. Well, if the facts were not proclaimed, and it was being done in executive session, so to speak——

Mr. MENKEN. Well, I would have to have a little more preparedness regardless of misconstruction—take the chance of that.

Mr. WALSH. You gentlemen agree with the President, when you were forming this league, that for Congress to proceed to an unpreparedness measure would be bordering on a breach of our neutrality with the belligerent nations?

Mr. MENKEN. No; I reverted to George Washington's view on that subject.

Mr. WALSH. And did Washington ever advocate enacting preparedness legislation during a war between two other countries with which we were neutral?

Mr. MENKEN. Yes.

Mr. WALSH. What incident was that?

Mr. MENKEN. His message to Congress in 1793, of December 3.

Mr. WALSH. And that was during the war between what two countries?

Mr. MENKEN. Between France and Britain, when France expected us to go into the war on her side, and when every inducement was made by citizen Genet, if I call my history correctly, whose parading up and down this country even prior to his producing his credentials and presenting them to the capital at New York at that time—we had that situation and President Washington delivered this message of December 3, 1793.

Mr. WALSH. Is that a very long extract?

Mr. MENKEN. No, sir; it was the first document the Security League published. It is a card of a dozen lines.

Mr. WALSH. Would you mind reading that slowly so it might go into the record, Mr. Menken?

Mr. MENKEN. From the speech of President Washington to Congress. December 3, 1793:

> I can not recommend to your notice measures for the fulfillment of our duty to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense, and of exacting from them the fulfillment of their duty to us. The United States ought not to indulge in persuasion that contrary to the order of human events they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States among nations

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which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insults we must be able to recall it. If we desire to secure peace, one of the most powerful instruments of our rising posterity, it must be known that we are at all times ready for war.

Mr. WALSH. That was in December, 1793?

Mr. MENKEN. Yes, sir.

Mr. WALSH. At New York? And shortly after that some of the patriots or disloyalists hung Washington in effigy, did they not?

Mr. MENKEN. There was a great deal of feeling of sympathy for France, and people went to great extremes in expressing their opinion. It was the birth of political discord in this country.

Mr. WALSH. The reason for the hanging of him in effigy was because he would not enter the war, was it not, as you recall it?

Mr. MENKEN. I do not recall the reason, but I know the emotion. There was a very bitter feeling on the subject.

Mr. WALSH. Your organization has received large sums of money from a great many men of means, together with a very large number of small contributions and membership fees from people throughout the country?

Mr. MENKEN. New York headquarters received up to the last report I saw a few weeks ago $617,000.

Mr. WALSH. Yes. Well, I did not ask you what had been received. I just asked you——

Mr. MENKEN. Well, the answer to your question is yes.

Mr. WALSH. And the purpose for which a large portion of the money has been expended have been to educate and reach the mass of the people?

Mr. MENKEN. Yes, sir.

Mr. WALSH. And you have no secret fund or hidden expenditures.

Mr. MENKEN. No, sir.

Mr. WALSH. And you have a few salaried officers?

Mr. MENKEN. Yes, sir.

Mr. WALSH. Do you think, Mr. Menken, that in your activity and the viewpoints that you have expressed, that your close relationship to the business interests of New York and men engaged in business through your connection with them as attorney or any other connection—that you may have absorbed the New York viewpoint, so to speak, to such an extent that you believe that it required in New York may be the only remedy that will cure real or imagined ills in other parts of the country?

Mr. MENKEN. I do not think there is any particular provincial New York viewpoint, sir.

Mr. WALSH. You do not believe that New York is the Nation?

Mr. MENKEN. I do not; and our Security League executive committee was not limited by any means to New Yorkers. It was representative of the Nation, and the national committee that I wanted to read yesterday represented every State in the Union.

Mr. WALSH. That you wanted to read yesterday?

Mr. MENKEN. Yes. I offered to read the list to Mr. Johnson. He said to wait——

Mr. WALSH. What national——

Mr. MENKEN. Because he told me I could put in anything I wanted after. So it is unimportant just now.

Mr. WALSH. Oh, you mean the national committee of the executive league?

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nough to say I could put it in

hat national committee have a

e had our national congress in
vere governed by the direction of
representative—one time we had
a thousand delegates, and prior to
Chicago, which I tesstified to this
delegates.
Mr. Menken, if you were at all active
to the formation of this league?

ne name of that society—I think here in
first Americanization Day?
now. That was not my activity; but——
assisted in that, didn't you?
minor, incidental way. I can not take any

were active along so-called Americanization

ir; 20 years ago.
before you became active in the league?
I spent three years working on Americaniza-

re?
the city of New York, on the East Side, during
g and trying to help solve the problem of the
er in this city.
one of the problems that the league is

oreign born is a charge that requires

the activities that the league is

federalize our educational system
and to Minnesota, for instance—

ieve in federalizing the educational

would be the purpose of a secretary of
of education?
ment of education? To afford the means—
I will answer your question: The teachers of
responsive to anything that will aid them in
ly spend more time convening and meeting
problems than any other group of profes-
try. A Federal commission of education,
most advanced thought, providing for the
means of instructions, studies on new prob-

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lems affecting national life, would have a far-reaching influence, principally because of the active intelligence and responsiveness of the teachers of this country to ideas that they feel will help them in their chosen mission in life.

Mr. WALSH. That would be the purpose of——

Mr. MENKEN. Yes, sir.

Mr. WALSH. A Federal department of education?

Mr. MENKEN. And another thing, I believe the teacher is the greatest force in the upbuilding of a republic, and in this country where we spend untold millions for education, it is only in keeping with the dignity of that profession and the needs of the Nation that there should be a minister of education, as in almost every other civilized country.

Mr. WALSH. In your travels throughout the world have you found any better system of schools or any finer educational system than the one in this country?

Mr. MENKEN. You can not generalize about the educational systems in this country. There are 48.

Mr. WALSH. Well, then, in New York.

Mr. MENKEN. New York schools are very fine, but with growing needs of the Nation there will be growing needs for improvement. There is always danger of political influence in our schools.

Mr. WALSH. Well, have you found any schools in England, France, Germany, or any other country in which you have been, or any system of education that is any better or superior to the New York schools and New York system?

Mr. MENKEN. I do not think that is the test, but answering your question—and I am not an expert—we have here recognized authority ready to testify on that subject, sir.

Mr. WALSH. No. But you have devoted some attention to it and I am simply asking for your observation.

Mr. MENKEN. My observation is that the standard of the best American school is good enough for any country.

Mr. WALSH. And that standard is way ahead of what it was 20 years ago?

Mr. MENKEN. Yes.

Mr. WALSH. Yes. And the standard 20 years ago was far superior to what it was 20 years before that?

Mr. MENKEN. We have progressed.

Mr. WALSH. And we are progressing in education as we have manufacture, commerce, and science, literature and politics—perhaps not in politics?

Mr. MENKEN. Put that in, too.

Mr. WALSH. In other directions, we are progressing?

Mr. MENKEN. I believe we are.

Mr. WALSH. And everything is getting better except the personnel and character and reputation of the chosen representatives of the people of the United States?

Mr. MENKEN. Is that a question?

Mr. WALSH. In your opinion?

Mr. MENKEN. I would not say that.

Mr. WALSH. You think that the representatives of the Sixty-fifth Congress have a little more vision and character and ability and loyalty than they had in the Forty-fifth Congress?

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Mr. MENKEN. Forty-fifth? I think they are in both—I think here is no question of loyalty that enters into this, in my mind. I hink they have progressed, most certainly; but the problems have rogressed very rapidly also, that they have to deal with.

Mr. WALSH. But with all the progress that we have made we have ot gotten yet to a scientific government?

Mr. MENKEN. We certainly have not.

Mr. WALSH. Well, would you say that Germany had a scientific overnment before the departure of its late Kaiser?

Mr. MENKEN. It did.

Mr. WALSH. And do you believe that the governmental constitution of the United States can be brought to that scientific basis that he German Government had acquired?

Mr. MENKEN. I believe that there is so much that a body of men, held by a single purpose—to wit, national betterment—could do, hat remains undone, that it justifies a criticism.

Mr. WALSH. And you say that is your answer to the question?

Mr. MENKEN. Yes; and I am prepared to particularize. if you ish.

Mr. WALSH. Well, I did not think my question called for any articularization. I was asking for your thought, if you thought ur form of government under the Constitution could be adopted o the same scientific exactness that the German Government had equired under its system?

Mr. MENKEN. Yes, sir.

Mr. WALSH. You believe that a democracy under a constitution, ith a republican form of government, can be put upon the same cientific footing as an absolute monarchy?

Mr. MENKEN. A better one.

Mr. WALSH. A better one. Well, can you point to any one State n the Union which has a government which has been put upon a cientific basis?

Mr. MENKEN. I can not.

Mr. WALSH. So there are 48 State governments that need science s well as our Federal Government?

Mr. MENKEN. More science.

Mr. WALSH. More science. And I suppose as a corollary to that, Mr. Menken, you would say that it would need some sense?

Mr. MENKEN. More.

Mr. WALSH. More sense?

Mr. MENKEN. More sense and more service on the part of the people.

Mr. WALSH. Sense, science, and service in your opinion are needs of the hour, as far as governmental problems are concerned?

Mr. MENKEN. I think sense and service will be enough.

Mr. WALSH. Sense and service, and eliminate the science?

Mr. MENKEN. Science will come along; that is part of the sense, sir.

Mr. WALSH. I see. If we get sense and service—sense on the part of our Government and service on the part of our people—we will rrive at the scientific in governmental affairs to which you hope o see this Nation come some time in the future?

Mr. MENKEN. Yes.

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Mr. WALSH. That is rather a short cut to the millennium, isn't it, Mr. Menken?

Mr. MENKEN. I think it is a long way.

Mr. WALSH. You think it is a long way? What will cause the delay along the journey? The acquirement of sense or the procurement of service?

Mr. MENKEN. I think both, sir.

Mr. WALSH. Well, you have spoken of science in the sense that you mean men with expert knowledge, haven't you?

Mr. MENKEN. As to many questions, yes.

Mr. WALSH. As to many questions. You do not mean that every Member of Congress should have acquired the degree of bachelor of science from a college or institution of learning?

Mr. MENKEN. No, sir.

Mr. WALSH. But you mean that he should have had a training along governmental lines sufficient to have made him an expert in coping with the problems of government?

Mr. MENKEN. I do not.

Mr. WALSH. You do not mean that. Then you mean that the members of the Military Affairs Committee should be experts upon military affairs?

Mr. MENKEN. I do not.

Mr. WALSH. Well, will you please tell me what you mean by saying that the Members of the Congress should be experts or have scientific knowledge of the problems with which they contend?

Mr. MENKEN. I did not say quite that. I said this: That the Members of Congress should have enough appreciation of the value of experts to make them at all times willing to listen to patriotic men, trained for a lifetime in their own art or vocation, who come before them as servants of the Government to testify as to national needs, as to national questions, a condition which was ignored repeatedly by the committee of Congress under the control of both parties in connection with the Army and the Navy. The advice of our generals, our admirals—Fisk, George Dewey—and others was ignored.

Mr. WALSH. It has been suggested to me, Mr. Menken, this thought to express in the form of an interrogatory: That while there may be no question about the need of taking the advice of experts for the formation of an army or in the production of a navy, would you say that Congress should be limited to the advice of military and naval experts as to the necessity of having an army and a navy and its size and strength?

Mr. MENKEN. No. Congress should not, in my opinion—Congressmen should not, in my opinion, abrogate their functions of taking and voting as they feel in their judgment it is their duty to vote, upon their independent opinions as representatives of the people. But they should, on the other hand, have the greatest respect for the opinion of the expert and weigh the same with the same care that an intelligent, careful business man would weigh the opinion of a doctor or a lawyer——

Mr. WALSH. Well, now, viewing it in that light, would you say that Congress should give any more respect or weight to military or

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naval experts as to the necessity for and size of an army or a navy than they would to the Chief Executive of the Nation?

Mr. MENKEN. Of course, where there is conflict between the Chief Executive of the Nation and the experts of the Army, the Congressman's position is not free from very grave difficulty; and what a man would do in that case must be determined by his own estimate of the situation. You can not lay a hard and fast rule for any great question like that.

Mr. WALSH. The Chief Executive, Mr. Menken, would of course, be the superior officer of the experts on army and naval affairs, would he not?

Mr. MENKEN. Yes.

Mr. WALSH. And he might in view of the fact that he has charge to a very great extent of our diplomatic affairs and is in possession of knowledge with relation to our dealings with other nations that is not possessed by military and naval experts, be in a position to express perhaps, a better opinion as to the necessity for and size of an army and navy than the mere military or naval expert.

Mr. MENKEN. Surely. The world statesman in the executive position has an opportunity for a view that is of great effect.

Mr. WALSH. And it is only natural, is it not, in your judgment, for a military or naval officer to like to see the establishment over which he may preside, subject to the direction of the commander in chief, or in which he is serving in an advisory capacity, to increase and progress?

Mr. MENKEN. I do not think that is true of the American Army and Navy officer. The record does not show it is, in my opinion.

Mr. WALSH. Well, would you say that the American Army officer or the naval officer has not been in favor of increasing the Army and Navy?

Mr. MENKEN. In favor of increase, but it has not been upon the basis of self interest, as I thought your question implied.

Mr. WALSH. Of course, Army and Navy officers are not devoid of all ambition, are they?

Mr. MENKEN. I hope not.

Mr. WALSH. And while they are, naturally from their surroundings and environment, and the problems with which they have to cope, considered on the part of a great many people as cold blooded propositions, they are human the same as everybody else—except perhaps Members of Congress.

Mr. MENKEN. They are human.

Mr. WALSH. Yes; and they are subject to the same desires and ambitions, and just as apt to have their judgment swayed a little by opportunities for personal preferment as the ordinary individual?

Mr. MENKEN. I do not think so.

Mr. WALSH. You do not think so. You think their training is along lines which will lead them to the opposite?

Mr. MENKEN. I think that the American Army and Navy officer has dedicated himself to the priesthood of national service, foregone personal ambitions in the ordinary sense, and that he is prepared to recommend—to do those things solely which he believes necessary for his country's welfare.

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Mr. WALSH. Well, I imagine you may be right, Mr. Menken. I am very glad to have your opinion about that. I want to read to you a few more words and ask you concerning them. I read:

The social structure rests upon the great working classes of the world; that these working class in the several countries of the world have by their consciousness of a community of interest, by their consciousness of a community of spirit, done perhaps more than any other influence has to establish world opinion, which is not of the nation, not of the continent, but is the opinion, one might say, of mankind.

The words of President Wilson in his speech at Milan. As a former president of the security league, one of its founders and active members, I would ask you if, in your opinion, that opinion agrees with your views?

Mr. MENKEN. It does not.

Mr. WALSH. So the social structure does not rest upon the great working classes of the world?

Mr. MENKEN. I object to the generalization. And it is on that basis that I take the liberty of differing, with all reverence, from the distinguished author of those words. I think the social structure of the American workman is very different from the social structure of Russian, Italian, Bohemian workmen, or even of the great working classes of France or England.

Mr. WALSH. How about the social structure of the working classes of Canada as compared with the social structure of the working classes of America?

Mr. MENKEN. I am unable to speak about that with any authority.

Mr. WALSH. You have traveled in Canada, Mr. Menken?

Mr. MENKEN. Yes, quite a lot; but not in the western part of Canada. I know the people of the great Canadian farmlands are like the great folk of the Middle West and the strong men of our South—self-reliant, determined people interested in liberty and the development of liberty. Just the same way as Americans are.

Mr. WALSH. I want to ask you one question further, Mr. Menken, and I think I am then ready to conclude. I may have asked you this question or part of it before, but if I have you will pardon me for repeating it: Is it a fair statement to say that your position is, with reference to this investigation, an inquiry which the committee is making with respect to the activities of the security league, that your organization was founded in 1914, in whole or in part, as the result of your activity and conference with men of parts in and about New York City, having for its purpose ultimately improving our state of preparedness for defense, and upon the breaking out of the war enlarging its activities along educational lines, embracing in its purposes the desire to present to the people of the nation the record of Members of Congress upon eight certain votes that have been taken, and that it has received through contributions and subscriptions of its members over a half million of dollars, none of which has been expended, in your opinion, illegitimately for any secret, hidden, or unlawful purpose, and that its activities have been devoted with a sincere desire on the part of the members of the organization to help the country win the war?

Mr. MENKEN. You will pardon me if I say your question is a little bit complicated. I would like to be able to answer it yes, but there

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are one or two things which make it necessary for me to explain. Firstly, it was not founded by men of New York. The membership of the league was nation-wide and its organization was nation-wide. Secondly, it was not one of its ultimate objects to propound those eight questions; that was simply an incidental, minor activity.

Mr. WALSH. Well, I did not think I included that in the phrase "ultimate object," but enlarging its activity, I said.

Mr. MENKEN. Yes, that was a little incidental thing with one of many committees that happened to be taken up that way under the direction of a particular chairman who handled that matter. Another point that ought to be made clear was that the $5,900 which was spent—the total sum in connection with this congressional work—was not spent from the general funds of the league, but was the result of money particularly raised for that purpose, as we felt that the money we received for other purposes was required for them, which was all provided. In other words we did not use the general funds of the league for that particular purpose. Otherwise, I think that your statement as to its ultimate purpose, and what we are proud to term the patriotic purpose of the league, is entirely correct, sir.

Mr. WALSH. Well now, then, your explanation leads me to one or two other questions: Will your treasurer be able to show what particular contributions were devoted to the congressional election?

Mr. MENKEN. I am sure of that, sir.

Mr. WALSH. Yes. Whose idea was that, to have a particular fund for the congressional election?

Mr. MENKEN. Mr. Orth came to me and asked me whether we would take up a campaign to reelect a Congress that would be a "win-the-war" Congress, to support—you see, we could not anticipate the termination of war—to support the war policy. He portrayed the menace to the country in the election of men, as he showed it was possible, antagonistic to the war in close districts, through the different conflicts of party, and urged the necessity of having a war Congress reelected. I told him the idea was one that I was very much interested in—the question of a win-the-war Congress; and I thought it ought to be helped; that we ought to do what we could to have elections adjourned, is possible, to have a fusion, where a good man was in office; and we talked it over and he proposed this campaign. I said that it was very well, but we had to have the sinews of war, and we did not have any money to appropriate for it. He said he was confident he could raise the money. He asked me what it would cost and what the expenses would be, and when I told him how modestly the thing could be done in a way that I felt that it was appropriate, he said, "Well, I think I can get that money," and I understand that he fulfilled his contract.

Mr. WALSH. He got the money, did he?

Mr. MENKEN. Well, he formed a little committee and appealed for funds, sent out circulars and got the money. I don't think there were any large amounts from any one source.

Mr. WALSH. Well now, participating in that way in congressional elections was ultra vires, wasn't it?

Mr. MENKEN. I do not think so.

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Mr. WALSH. Anything in your charter which comprehended or contemplated participating in the presentation of the records of Members of Congress?

Mr. MENKEN. I think it is a big question of national security to have a Congress to provide national security as the cornerstone.

Mr. WALSH. Well, I think you were interrogated yesterday as to the measures which have been denied the President, but this was a committee devoted to educating the voters as to the record which had been made, but which record did not contemplate all the activities of the Congress. Now, in your opinion, assume a man could have voted against war and could have voted against tabling the McLemore resolution, but after war was declared he voted for every measure the President asked for or recommended, would you think that his later conduct in supporting those measures would cure any lack of vision which he showed before we went into war or of the votes before?

Mr. MENKEN. It would take a great deal of proof to convince me, sir.

Mr. WALSH. Well, I dislike to ask a question which will require to express an opinion as to a man's loyalty or vision and patriotism, but if a man had voted against war and against tabling the McLemore resolution, and had voted for conscription, would you have some suspicion as to loyalty?

Mr. MENKEN. Oh, I think those are personal questions into which the personal equation enters very largely. It is impossible to generalize. I go on the presumption that most members of Congress are fine men and loyal men, and I think all the presumptions are in favor of the Congressmen. There are cases here where we have had men who were absolutely sound deaf and stone blind to all the science of the times; and I think those men were very undesirable members of Congress at the period when the country was conducting a great war and had before it the broad question of national reconstruction. I think we could hope to do better.

Mr. WALSH. Now let me ask you the question I put to Col. Leydecker the other day: If that is your viewpoint, and that of your colleagues, would it not have been better and likely to have been productive of results if you had prevented the nomination of these men, rather than to have waited until they had been nominated and then without knowing anything of the attitude of their opponents presented their records, good or bad, to the voters of the several districts?

Mr. MENKEN. I think it would have been a very good thing indeed if the campaign had been organized earlier so that the argument against the men could have been fairly stated to their constituents. I think it would have been much more beneficial.

Mr. WALSH. The arguments against the men?

Mr. MENKEN. Yes, or in favor of them. I think good men are entitled to support by many patriotic bodies as well as poor men to opposition.

Mr. WALSH. Yes. Now, Mr. Menken, you are a very active practitioner of the law in this city, and I know have given very careful and deep study to problems of government. I want to ask you now as an attorney, if, in your opinion, anything that the league did in

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pursuing its congressional campaign required it to file a report of its expenditures either with the Clerk of the House of Representatives or with any duly constituted authority in any State in which its activities were carried on?

Mr. MENKEN. That act—I read the act that you referred to and read it with considerable care. I think the thing was rather uncertainly drawn, but I came to the conclusion that it did not.

Mr. WALSH. You have made some——

Mr. MENKEN. While there were no statutes on the act, I had the—I made an endeavor to get a citation on the act for an interpretation by the court, but could not.

Mr. WALSH. You mean there were no decisions?

Mr. MENKEN. No decisions, and I could not find anything; because I thought it aimed——

Mr. WALSH. You are referring to the act of Congress?

Mr. MENKEN. Yes.

Mr. WALSH. Well, do you know whether or not any statute of any State required you to make a return for money expended in the manner in which it was—in a congressional campaign?

Mr. MENKEN. Unquestionably the statutes of many States do. We have a statute in New York, but it is not aimed at organizations of this kind. For many years the Citizens' Union got out a statement of the qualifications of candidates which is vastly more critical than the one complained of by Mr. Frear; and I am very certain that they never deemed that participating in a campaign, although they had characterized the campaign certainly. The Evening Post and other New York papers did the same thing.

Mr. WALSH. Do you know anything about the statutes in Nebraska and Oregon?

Mr. MENKEN. I haven't any knowledge of them, sir.

Mr. WALSH. Or South Dakota, or Wisconsin?

Mr. MENKEN. Only in a very general way.

Mr. WALSH. Of course, for a person running for an office, including a district made up of more than one community, it would be a very convenient way to evade the law to form a national organization and to participate in a campaign and expend money if there was no requirement of any return being made, would it not?

Mr. MENKEN. Yes; and if it is Congress's idea that that ought to be prevented, I should think the law ought to be passed in broad language.

Mr. WALSH. You have read that act, haven't you?

Mr. MENKEN. Oh, yes.

Mr. WALSH. Don't you think that language is pretty broad?

Mr. MENKEN. I do not. I do not think it—you see, I take it that act being interpreted as referring to political campaigns and activities as ordinarily conducted by political parties. Now, I doubt whether it was aimed at organizations like the Security League, the Anti-Saloon League, the Woman's Suffrage Party, or other organizations having a particular cult or theory that they were trying to establish. I think perhaps it might be very desirable to have such a statute, sir, if I may mention the opinion.

Mr. WALSH. But in your opinion in order to include the National Security League in the requirement to file a return showing its re-

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ceipts and expenditures, as far as any participation in a congressional campaign goes, the statute would have to be amended?

Mr. MENKEN. I think so. It is not clear.

Mr. WALSH. I read in one of the many evening papers published here in New York, Mr. Menken, a short item to the effect that Mr. Frederick Coudert was acting as voluntary counsel for the National Security League and serving without compensation.

Mr. MENKEN. Yes, sir; that is——

Mr. WALSH. That is correct?

Mr. MENKEN. Yes, sir.

Mr. WALSH. How long since he has been acting?

Mr. MENKEN. He went to Washington with us the first session and found that his presence was superfluous; that he would not be in a position to cross-examine witnesses, and he did not continue in attendance at the session. He is still available to us at any time; he is still acting.

Mr. WALSH. His volunteering in that capacity was, I assume, the result of this investigation being ordered by Congress?

Mr. MENKEN. Yes.

Mr. WALSH. You had no counsel prior to that?

Mr. MENKEN. No. I might mention that Mr. Coudert is a member of the executive national committee and has been active in the committee ever since its organization.

Mr. WALSH. Yes. I think you have included him in the list of members. Mr. Menken, there is one question I omitted to ask you in referring to one of the newspaper publishers of New York. Did your league have anything to do with a campaign which I understand was inaugurated to bar certain newspapers published by a certain publisher from certain communities in New York?

Mr. MENKEN. No, sir; we refused to take part in that campaign—if I can determine the paper you refer to, sir, correctly.

Mr. WALSH. I think that is all that I think of, Mr. Menken. I thank you, sir.

Mr. MENKEN. I would be glad to sit longer if there is any chance of getting through to-morrow.

Mr. WALSH. Getting through with you, you mean?

Mr. MENKEN. Yes.

Mr. CARAWAY. Mr. Menken, I hope in whatever questions I shall ask you that may seem personal in their nature that you will understand there is really no intention of being offensively so. With that explanation I shall ask you some personal questions: I believe you said you were a native of Tennessee?

Mr. MENKEN. Yes, I was born in Memphis, Tenn.

Mr. CARAWAY. When did you leave there, Mr. Menken?

Mr. MENKEN. The last time I was a resident of Tennessee was in the year 1891.

Mr. CARAWAY. 1891. Had you formerly left Memphis and then come back and resumed your residence there?

Mr. MENKEN. After my college education was over I went back to Memphis in January, 1891.

Mr. CARAWAY. Your family still reside in Memphis?

Mr. MENKEN. They do not.

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Mr. CARAWAY. Did I understand you to say among other things that you were doing in England that you were publishing a paper over there?

Mr. MENKEN. Well, I don't think I said that. It is true, though. I was a member of the American committee of 12, of which Mr. Hoover and Hon. Oscar S. Straus and others were members, and Mr. Hessler, president of the Fifth Avenue Bank; and during the time the American refugees were pouring into London, I published a daily newspaper of about the proportions of the Security League Bulletin.

Mr. CARAWAY. If you will pardon me, I did not ask you any of that. I merely asked you if it were a fact that you did publish a paper there.

Mr. MENKEN. Yes.

Mr. CARAWAY. Now, when you returned from your trip to England and resolved to organize the Security League, you first went to members of your profession with whom you were intimately acquainted and talked over the proposition?

Mr. MENKEN. Went to certain friends.

Mr. CARAWAY. Well, they were lawyers, I believe you said yesterday?

Mr. MENKEN. Some of them were, and some were not.

Mr. CARAWAY. Well, I understood you to say that your first conversations were had with members of your profession.

Mr. MENKEN. Many of them were lawyers.

Mr. CARAWAY. Now, when was the league organized in the sense that you came together and associated yourselves into a society?

Mr. MENKEN. I think December 8, 1914.

Mr. CARAWAY. December 8; that was the first meeting you had?

Mr. MENKEN. No, December 1 was the first meeting.

Mr. CARAWAY. How many people were present December 1?

Mr. MENKEN. About 150.

Mr. CARAWAY. And what action was taken on the 1st?

Mr. MENKEN. Committee on organization, I think, was appointed.

Mr. CARAWAY. Well, did you have any—you certainly had some kind of tentative organization before you appointed a committee on organization, did you not?

Mr. MENKEN. They elected temporary officers at the first meeting.

Mr. CARAWAY. And who was elected temporary president of the league?

Mr. MENKEN. I was elected temporary chairman.

Mr. CARAWAY. Then you adjourned to meet again on the 8th?

Mr. MENKEN. Yes.

Mr. CARAWAY. How many people were present on the 8th?

Mr. MENKEN. A large number. I can not tell you exactly.

Mr. CARAWAY. How many became members, charter members of the organization?

Mr. MENKEN. Of those present?

Mr. CARAWAY. No; I do not care whether they were present or not.

Mr. MENKEN. We made no distinction between charter members and other members. As they came in they were admitted.

Mr. CARAWAY. Well, you know what charter member is?

Mr. MENKEN. That is one of the first members.

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Mr. CARAWAY. Of course. And no others are charter members. Therefore there is no use quibbling about that. How many charter members did you have?

Mr. MENKEN. I don't know.

Mr. CARAWAY. You have no idea?

Mr. MENKEN. No.

Mr. CARAWAY. You were elected the first president?

Mr. MENKEN. Yes.

Mr. CARAWAY. And continued so until you resigned in June of 1918 or 1917?

Mr. MENKEN. No; I continued for a year, and Mr. Robert Bacon was elected president.

Mr. CARAWAY. Then you came back?

Mr. MENKEN. Then he ran for United States Senator and retired when he entered that campaign, and I took his place about six months.

Mr. CARAWAY. He retired at the end of that campaign, didn't he?

Mr. MENKEN. He retired before the end of the campaign.

Mr. CARAWAY. You were then elected president and remained so until your retirement when?

Mr. MENKEN. June, 1918.

Mr. CARAWAY. Until the circumstances that you have detailed heretofore.

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Yes. Now, those people who first associated themselves with you to organize the league shared very largely your views with reference to the needs of preparedness?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. And did they agree with you on all matters touching governmental activities that were either then in process of being worked out or that should be worked out in the future?

Mr. MENKEN. I could not say as to that.

Mr. CARAWAY. You do not know now whether the executive committee agrees with you in your view with reference to reconstruction problems, we will say?

Mr. MENKEN. I know there is harmony in purpose. As to whether there is harmony as to exact detail, I can not say.

Mr. CARAWAY. Well, the thing I am trying to get is this, Mr. Menken: Your personal views with reference to Congress or reconstruction problems are not—have no value to the committee unless they are shared by the members of your organization?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. We have no personal interest in your views with reference to matters, but ask you concerning your own views to ascertain if they are in harmony, or, rather, if you are in harmony with your associates. Then your views become enlightening.

Mr. MENKEN. Why, all these questions have not been taken up with the executive committee.

Mr. CARAWAY. So then none of the things you have expressed your personal opinion about have ever been with the executive committee?

Mr. MENKEN. I won't say none.

Mr. CARAWAY. Well, will you tell me just those that were?

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Mr. MENKEN. The question of military matters was discussed.

Mr. CARAWAY. They are all in harmony on that question?

Mr. MENKEN. Practically, yes.

Mr. CARAWAY. Well, let us see——

Mr. MENKEN. Some diversion, but not much.

Mr. CARAWAY. Do you make any difference between military training and military service?

Mr. MENKEN. I do not.

Mr. CARAWAY. Col. Lydecker does, does he not?

Mr. MENKEN. He does.

Mr. CARAWAY. So then you and the President are not in accord on that very vital question, are you?

Mr. MENKEN. We are not.

Mr. CARAWAY. Well, I thought you said you were in accord on military matters.

Mr. MENKEN. Military preparedness.

Mr. CARAWAY. Well then, that is military preparedness matter, if it is anything, isn't it?

Mr. MENKEN. Well, he and I differ on that question of military preparedness.

Mr. CARAWAY. Now, who else agrees with you?

Mr. MENKEN. Mr. Lloyd Taylor, I believe, agrees with me.

Mr. CARAWAY. Mr. Lloyd Taylor. He and you agree. Does anyone else agree with you and Mr. Lloyd Taylor? I want to find out how far your organization can be portrayed by your views that you set forth here.

Mr. MENKEN. Well, I think it is rather difficult to tell that because I have not counted noses on that question.

Mr. CARAWAY. Well, you are not prepared then to say your league has any definite policy if you have not counted noses on it, have you?

Mr. MENKEN. The league has declared in favor of universal obligatory military training and service repeatedly.

Mr. CARAWAY. Will you tell me when by resolution you declared for military training and service obligatory or otherwise?

Mr. MENKEN. 1915, 1916, 1917, 1918, and all the national conferences.

Mr. CARAWAY. No dissenting voice?

Mr. MENKEN. I think practically none—when you say "no," being on my oath, it is certainly a difficult question to answer.

Mr. CARAWAY. Well, you ought to be able to answer it whether you are on your oath or whether you were not sworn. A fact is a fact whether it is sworn to or not. Then Col. Lydecker and you are vitally different, on that; that is, there is no agreement. He says he is opposed to military service in any form—compulsory. Did he not?

Mr. MENKEN. I heard him say something like that, yes.

Mr. CARAWAY. And you thought he meant what he said, didn't you?

Mr. MENKEN. He always means what he says.

Mr. CARAWAY. Didn't you also hear him say that the league was opposed to universal military service?

Mr. MENKEN. I heard him say that under cross-examination.

Mr. CARAWAY. Well, is that true?

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Mr. MENKEN. I think he is in error in that respect.

Mr. CARAWAY. Well, perhaps that is so. One of you would be. Now, does the league agree with him or with you?

Mr. MENKEN. I think the majority of the league agrees with me.

Mr. CARAWAY. Can you tell me by what process you arrive at that conclusion if you have not discussed it with them?

Mr. MENKEN. The resolution of these four conferences.

Mr. CARAWAY. The resolution; and you think it may be safely said that the league is agreed upon compulsory military service and military training, or, rather, military training and military service?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Universal?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Would you mind telling me what is the length of time, the period of time that you would have the training and service cover of the individual?

Mr. MENKEN. At least nine months?

Mr. CARAWAY. Nine months. All at one period of service?

Mr. MENKEN. I think so.

Mr. CARAWAY. Then what would be the status of the soldier after his service of nine months?

Mr. MENKEN. He would retire to civilian life.

Mr. CARAWAY. Would he be subject to call?

Mr. MENKEN. Subject as a national reserve, yes.

Mr. CARAWAY. Then instead of retiring to civil life he would pass into the reserve?

Mr. MENKEN. Yes.

Mr. CARAWAY. How big an army do you think you would have under that system, Mr. Menken?

Mr. MENKEN. An army equivalent in size to the number of youths reaching 21 years of age.

Mr. CARAWAY. Well, figure it out. Have you tried to estimate the size of the army you would have, active and in the reserve?

Mr. MENKEN. I think ultimately we would have an available reserve of fourteen or fifteen million.

Mr. CARAWAY. Fourteen or fifteen million. At what age would you let the man pass out of the reserve?

Mr. MENKEN. Forty-five, constitutional——

Mr. CARAWAY. Forty-five?

Mr. MENKEN. Constitutionally.

Mr. CARAWAY. When would he come in—constitutional age?

Mr. MENKEN. Yes.

Mr. CARAWAY. Is there any such constitutional provision?

Mr. MENKEN. Constitutional age, that is, between 18 and 45, they are liable for service.

Mr. CARAWAY. You understand he can not be compelled to serve after 45?

Mr. MENKEN. Yes.

Mr. CARAWAY. Then there is no constitutional age with reference to a soldier. At what age would you bring him into the service?

Mr. MENKEN. Some time between 19 and 21.

Mr. CARAWAY. Well, would you say 20?

Mr. MENKEN. Nineteen, twenty, or twenty-one; yes—twenty.

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Mr. CARAWAY. Then you would have him pass out at 45, so we would have 25 classes?

Mr. MENKEN. Yes.

Mr. CARAWAY. About how many men do you think become of each class.

Mr. MENKEN. I have not reckoned that.

Mr. CARAWAY. Well, you know the draft showed that. You do not have to reckon about it. If you keep up with military affairs you know the number of men that go of each class, don't you? A student of military history ought to know that.

Mr. MENKEN. I can not give you figures at the moment.

Mr. CARAWAY. About a million men?

Mr. MENKEN. Yes.

Mr. CARAWAY. Then you would have about 25,000,000 men in your army, active and reserve; do you have the remotest idea of what the cost of maintaining that sort of army with its equipment would be, Mr. Menken?

Mr. MENKEN. Well, we couldn't maintain an army of 25,000,000 with its equipment to start with.

Mr. CARAWAY. Well, we would have to maintain it at about a million, wouldn't we?

Mr. MENKEN. Yes.

Mr. CARAWAY. And would you have any equipment for your men that pass out into the reserve?

Mr. MENKEN. Moderate reserve equipment; perhaps enough for another million.

Mr. CARAWAY. Well, you would have an equipment, then, for an active army, a mobile army of a million men, and a reserve of a million?

Mr. MENKEN. I think that would be sufficient.

Mr. CARAWAY. Have you any idea what that would cost the taxpayers of the country?

Mr. MENKEN. Why, I think it cost in Switzerland about $23 a head. It might probably cost $100 a head here.

Mr. CARAWAY. $100 a head?

Mr. MENKEN. Outside of the question of paying the men.

Mr. CARAWAY. Well, they have to be paid, don't they, under our system?

Mr. MENKEN. Yes.

Mr. CARAWAY. I believe you said they were underpaid, so you would want to raise their pay, wouldn't you?

Mr. MENKEN. Not if universal training were enacted the way I would like to see it enacted; not for the soldiers; I would for the officer.

Mr. CARAWAY. Yes; the common soldier could make out on $30?

Mr. MENKEN. Why, only students.

Mr. CARAWAY. Yes; what would he get when he went into the reserve, anything?

Mr. MENKEN. No; I don't think so.

Mr. CARAWAY. Well, now, how many officers would you have to have on the active list for an army of a million men active, and a million in the reserve, to have a sufficient supply of officers for your 25,000,000 reserve army?

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Mr. MENKEN. You would have to have upward of 50,000.

Mr. CARAWAY. You think that would be sufficient?

Mr. MENKEN. I think it probably would be.

Mr. CARAWAY. Fifty thousand men for 25,000,000——

Mr. MENKEN. For a million army.

Mr. CARAWAY. Well, what goes with the officer? Do you let him pass into the reserve without training?

Mr. MENKEN. I would not attempt to have a reserve army officer on that basis.

Mr. CARAWAY. You would have no officers except for the active army?

Mr. MENKEN. No, sir; not on the pay list.

Mr. CARAWAY. Well, if your officers kept up with the science of war, would they be entitled to any pay?

Mr. MENKEN. I doubt whether that would be necessary.

Mr. CARAWAY. But you would pay your active army. Do you have any idea what it would cost you?

Mr. MENKEN. I have seen the figures, but they escaped me for the moment.

Mr. CARAWAY. Do you think that an active army of that size, without any increase for the officers that you demand, as a matter of social justice, would cost about a billion six hundred thousand dollars a year, to say nothing of your reserves and your equipment for your reserves?

Mr. MENKEN. An army of a million men under universal training?

Mr. CARAWAY. Yes. Under the present cost of maintaining an army would be about a billion six hundred thousand a year.

Mr. MENKEN. That is $1,600 a man. No, sir: I do not.

Mr. CARAWAY. A billion six hundred million, I should say.

Mr. MENKEN. This is $1,600 a man, while he is being trained. No, sir: I do not.

Mr. CARAWAY. You do not know that? Had you ever studied the figures on maintaining an army so that you can speak with any authority?

Mr. MENKEN. I studied the figures; yes.

Mr. CARAWAY. And you say that is not correct?

Mr. MENKEN. I say it would not cost any such figure: no, sir.

Mr. CARAWAY. It doesn't cost that now to maintain the Army?

Mr. MENKEN. Oh, yes, now.

Mr. CARAWAY. It does not?

Mr. MENKEN. It does, certainly—costs that: it does cost us about that much.

Mr. CARAWAY. Well, then, you could not cheapen it if you paid your officers more and your men as much, could you?

Mr. MENKEN. Yes.

Mr. CARAWAY. How?

Mr. MENKEN. For the simple reason if the men came in under a universal-training law and got nine months of education it would be an educational matter, educational not alone in the physical and military sense, but also in other subjects. They get their training. While they are getting their military training the compensation to those men—they get their board and their clothes from the Government—would be comparatively nominal. They would be taken

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before they were in the ranks of industry and without interference with education.

Mr. CARAWAY. That is merely a loss to society. I am talking about the money cost of maintaining them.

Mr. MENKEN. It would not be that.

Mr. CARAWAY. It does not cost that now?

Mr. MENKEN. It should not cost that to maintain any such body of nonwarring troops in training.

Mr. CARAWAY. Where would you effect your economy? Either in the equipment or the pay, wouldn't you? Now, which way would you do it?

Mr. MENKEN. May I answer that indirectly?

Mr. CARAWAY. Yes, sir.

Mr. MENKEN. The Peekskill Military Academy and the Great Virginia Military Academy—great training institutions—will train a young man—the last figures I had—for $600 a year and train him. There is no reason why it should cost the Federal Government more than it costs those institutions, and there is every reason why it should cost vastly less; because they are conducted, although they have some endowment, for profit.

Mr. CARAWAY. Do you know how much of a subsidy the Virginia Military Institutes receives from the State in order to enable it to conduct the business at $600 a year?

Mr. MENKEN. I know like Cornell and our other State institutions they do receive a grant of some considerable amount, but it would not change the general tenor or effect of my figures.

Mr. CARAWAY. Now, since you are a student of these things, Mr. Menken, where would you effect the economy if, as a matter of fact, it does cost that much to maintain an army now? Where would your savings come in?

Mr. MENKEN. Firstly, it would come in centralized posts and a unified, efficient system of training. The average cost of training men at Plattsburg was less than $60 a man for two months.

Mr. CARAWAY. Did they get any pay?

Mr. MENKEN. They did not.

Mr. CARAWAY. Did that include his uniform and his equipment?

Mr. MENKEN. No, I think there was——

Mr. CARAWAY. And his transportation?

Mr. MENKEN. I think there was twelve or fifteen dollars for uniforms.

Mr. CARAWAY. Well, if it is true, then—let me change it this way, then, since you do not seem to believe the expense is that much—if it is true now that it cost that much to maintain an army of about that figure, you would still be in favor of the service?

Mr. MENKEN. I would.

Mr. CARAWAY. Yes. Now, your two-standard navy—that is, the English and American Navy to be the equal of any two other nations—are you satisfied with the present size of the Navy?

Mr. MENKEN. I do not think anybody knows what it is exactly.

Mr. CARAWAY. Well, it is a matter of record. Any student may ascertain to the very last ship and men.

Mr. MENKEN. There have been a great many additions made to the Navy. No, I am not. I think we ought to have a strong Navy in the Pacific.

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Mr. CARAWAY. Oh, yes. You want what we call a double-standard Navy, one for the Pacific Ocean and one for the Atlantic; that would be your idea?

Mr. MENKEN. My idea is this: Very often Navy questions are largely dependent upon the treaty of peace and the armament agreements of other civilized powers.

Mr. CARAWAY. Would that affect your view with reference to universal military training and service?

Mr. MENKEN. It would not. I think that is national training that every man should give to his country, of benefit to the nation in numerous respects.

Mr. CARAWAY. You did not agree with Lloyd George when he said just before the English election that the English Government was going to stand against a conscript army everywhere, did you?

Mr. MENKEN. I do not agree with that statement.

Mr. CARAWAY. You do not agree with the President who opposed universal military service and wanted to leave the military program to be determined after the treaty of peace, do you?

Mr. MENKEN. I do not.

Mr. CARAWAY. No?

Mr. MENKEN. For reasons I would be glad to give you.

Mr. CARAWAY. Well, I would be glad to hear them.

Mr. MENKEN. Universal military training is valuable and important not alone from the point of view of the defense of the country, but on account of its democratic influence in bringing understanding among all classes of the people and the bringing home to the man who takes the service a realizing sense of his obligation to country, and equipping him with greater efficiency to meet the duties of after life.

Mr. CARAWAY. All right. Now, let us get back to the cost of the armament. If your army costs a billion six hundred million—do you have the remotest idea what the present cost of the Navy is?

Mr. MENKEN. I think they are spending over a billion a year on it at the present time.

Mr. CARAWAY. Well, suppose I say for the Navy we would spend a billion, four hundred million, and we would give you a three billion Army and Navy program, do you know what the other necessary expenses of the Government are going to be to pay interest on bonds and the necessary expenses of the Government, leaving out the rivers and harbors and public buildings program that you condemn?

Mr. MENKEN. I think your premise of cost of both is very much more than necessary for national safety. I think your premise is wrong, Congressman.

Mr. CARAWAY. Well, that is what they happen to cost, whether you think it so or not, you see. If you just take a little time to get information on those lines you will find that is what it actually cost to maintain your Army—not with increased salaries that you want to pay, but with actual present expenditures. Now, how much do you think the necessary expenses of government are going to be, aside from the military and naval expense?

Mr. MENKEN. I suppose we are going to run into a three billion Congress outside of the question of interest on the public debt.

Mr. CARAWAY. Do you know what the interest on the public debt is going to be?

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Mr. MENKEN. Over a billion.

Mr. CARAWAY. Well, then, according to the statement we would have an annual appropriation of over $7,000,000,000. Do you know of any source from which we could raise that much money by taxation, to say nothing of a sinking fund to retire $18,000,000,000 that we already owe?

Mr. MENKEN. I do not agree with the premise, so I can not agree with or give a conclusion.

Mr. CARAWAY. But the fact is not changed by your failing to agree with it, you know; because if you take 10 minutes you can go and find out the fact to be that way. Now, coming back, what is the basic pay for a second lieutenant in the Army?

Mr. MENKEN. About $1,400 or $1,500 a year.

Mr. CARAWAY. And what is the basic pay of a colonel?

Mr. MENKEN. Three hundred and thirty-three dollars a month, $4,000 a year.

Mr. CARAWAY. Now, what ought to be the basic pay for a lieutenant?

Mr. MENKEN. Twenty-five or thirty per cent more.

Mr. CARAWAY. You said $2,000 a year.

Mr. MENKEN. I should think so.

Mr. CARAWAY. And what should the basic pay of a colonel be?

Mr. MENKEN. About $6,500.

Mr. CARAWAY. About $6,500. Do you favor the present pay for longer service, longevity pay, as it is called, in the Army and Navy?

Mr. MENKEN. I never studied that; but if I understand it, I should think it is fair.

Mr. CARAWAY. Do you have any idea, then, what the cost of maintaining that corps of officers alone would be under your new scale——

Mr. MENKEN. About 30 per cent more than under the old scale—35 per cent.

Mr. CARAWAY. What would be the average pay, if you have studied it at all, of an officer from the time he enters the service until he retires?

Mr. MENKEN. I cannot tell you that.

Mr. CARAWAY. You have no idea of his average pay?

Mr. MENKEN. No.

Mr. CARAWAY. Well, do you know what the proportion of the cost of maintaining the Army is the pay of the officer, either while in active service or on retired service?

Mr. MENKEN. I could not tell you that.

Mr. CARAWAY. You have no idea, then, how much you would increase the cost of the Army?

Mr. MENKEN. No, sir.

Mr. CARAWAY. And I presume your complaint as to pay goes to the naval officer as well as to the——

Mr. MENKEN. It certainly does, and more so.

Mr. CARAWAY. More so?

Mr. MENKEN. He is still more downtrodden than the Army officer. He can not keep his pay when he gets it. He is a victim of the system of the Navy to a degree that is never regarded. The Navy officer who is getting $2,500 a year does not get that pay. Congress, perhaps necessarily in a democratic country, makes no provision for

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the expenses of an officer for entertaining, and it all comes out of his pocket. And the lieutenant in the Army, getting, I think it is, $2,400 a year, will find when he gets his pay check it is subject to a deduction of 20 or 25 per cent for expenses he has absolutely no control over. It is a most unjust system.

Mr. CARAWAY. Well, just leave the Army and Navy then. I want to ask you this: You said our civil list wasn't paid. Will you pardon me a personal question? What do you pay a stenographer in your office?

Mr. MENKEN. From $30 to $60 a week.

Mr. CARAWAY. From $30 to $60 a week? How many hours?

Mr. MENKEN. Seven—eight-hour day.

Mr. CARAWAY. Eight-hour day?

Mr. MENKEN. About a seven and a half hour day.

Mr. CARAWAY. And how much vacation does she get on full pay?

Mr. MENKEN. Three weeks after the first year. Two weeks the first year and more if she needs it.

Mr. CARAWAY. How many half holidays does she get during the week?

Mr. MENKEN. She gets all legal and Saturday half holidays during the most of the year.

Mr. CARAWAY. Now, you consider yourself a good employer of labor, don't you, Mr. Menken?

Mr. MENKEN. I try to be a fair employer.

Mr. CARAWAY. Well, you said the Government was not. Do you know what the salary of a stenographer of the same classification would get from the Government?

Mr. MENKEN. Twelve or fifteen hundred a year.

Mr. CARAWAY. How often would her pay increase?

Mr. MENKEN. I can not tell you the detail of that.

Mr. CARAWAY. And what are her hours?

Mr. MENKEN. I think they are 9 to 5.

Mr. CARAWAY. Any time off for lunch?

Mr. MENKEN. I think they allow them to feed under the system.

Mr. CARAWAY. Do you know it is not 9 to 5 at all; that it is from 9 to 4.30?

Mr. MENKEN. Well, it ought to be 9 to 5.

Mr. CARAWAY. But, then, I am talking about the Government being such a poor employer of labor. I am trying to find out what you know about the conditions under which the Government employs them.

Mr. MENKEN. I am not speaking of the shortness of hours. I am talking of the shortness of money.

Mr. CARAWAY. Well, do you know a stenographer gets better pay than she does in your employ for the same hours?

Mr. MENKEN. I do not think that is so, sir.

Mr. CARAWAY. Do you not?

Mr. MENKEN. No, sir.

Mr. CARAWAY. Well, you compare the list. What would you pay a messenger; or do you employ one?

Mr. MENKEN. I do not employ a messenger. Office boys we have.

Mr. CARAWAY. You have office boys. What do you pay them?

Mr. MENKEN. Ten to twelve dollars a week; boys 14 to 16 years of age.

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Mr. CARAWAY. Do you know what that same boy would get if he worked for the Government under the same conditions?

Mr. MENKEN. I have no idea.

Mr. CARAWAY. No idea, although you said the Government was a poor employer. Let me ask you another thing: Do you know what a letter carrier in the city of New York gets?

Mr. MENKEN. About $1,300 or $1,400 a year.

Mr. CARAWAY. How many hours?

Mr. MENKEN. I think they work an eight-hour day—irregular hours.

Mr. CARAWAY. And how much time leave with full pay?

Mr. MENKEN. I am uncertain of the amount of the vacation; a couple of weeks, I think they get, each year.

Mr. CARAWAY. With pay?

Mr. MENKEN. Yes.

Mr. CARAWAY. And how many half holidays during the week; any?

Mr. MENKEN. I think they alternate on the Saturday half holidays.

Mr. CARAWAY. What does a man in private employ in New York get that performs about the same class of service?

Mr. MENKEN. Of the same occupation?—$1,500 to $2,000 a year.

Mr. CARAWAY. Do you know why anybody stays in the Government service, then, if they can just step out and get a job like that?

Mr. MENKEN. I think I do.

Mr. CARAWAY. Why?

Mr. MENKEN. They get caught when they are young, and they have not the initiative enough to leave.

Mr. CARAWAY. They have not sense enough to get out; all right. Do you know what an officer of the French Army, we will say, of the grade of colonel receives; what his pay is?

Mr. MENKEN. Yes; I think it is about eighteen hundred dollars a year.

Mr. CARAWAY. And what does a British colonel receive?

Mr. MENKEN. I think about twenty-odd hundred.

Mr. CARAWAY. Are you guessing at this?

Mr. MENKEN. No; I went over those figures the other day. I thought you would ask me that question.

Mr. CARAWAY. And what does an Italian officer receive?

Mr. MENKEN. I think he receives still less.

Mr. CARAWAY. How much less?

Mr. MENKEN. I can not tell you the figures; I have them here.

Mr. CARAWAY. I am just asking you. Ours is the best paid Army in the world, isn't it?

Mr. MENKEN. They get more tokens in value in dollars and cents, but the return in actual money based upon the economic value of that money is not larger.

Mr. CARAWAY. You think you can live cheaper in Paris than you can in this country?

Mr. MENKEN. In normal times, yes; infinitely so.

Mr. CARAWAY. Well, my experience has not justified that conclusion; and I see this gentleman over here who has recently tried it shaking his head. Do you know how much an American Army officer gets for allowance for quarters, heat, and light, in addition to his salary?

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Mr. MENKEN. Why, I think it runs from $400 up; I can not tell you the figures exactly.

Mr. CARAWAY. Quite a little sum?

Mr. MENKEN. It is a very great help to him.

Mr. CARAWAY. Do you know what a private soldier in the French Army gets?

Mr. MENKEN. He gets 10 sous a day.

Mr. CARAWAY. Ten sous?

Mr. MENKEN. Yes.

Mr. CARAWAY. In France?

Mr. MENKEN. Yes.

Mr. CARAWAY. When did they——

Mr. MENKEN. It is 10 cents a day.

Mr. CARAWAY. When did he get that

Mr. MENKEN. Maybe only five.

Mr. CARAWAY. Well, maybe so; and so you may be wrong 50 per cent of his pay. He got a raise in his salary after he fought the battle of Verdun, because he fought rather well they raised his wages. Do you know how much?

Mr. MENKEN. No; I do not.

Mr. CARAWAY. About 2 cents a day. Do you know how much an Italian soldier gets?

Mr. MENKEN. About on the same scale.

Mr. CARAWAY. Do you know what a German soldier receives—received?

Mr. MENKEN. About on the same scale.

Mr. CARAWAY. Oh, no; there is no similarity at all. You certainly know—well, let that go; it is not material. Now, you complain of the fact that the Government had deposed the heads of the railroads. You think in taking over the roads the presidents should have been left in control of them?

Mr. MENKEN. I do.

Mr. CARAWAY. The presidents of the roads?

Mr. MENKEN. Oh; the President of the United States I thought you meant.

Mr. CARAWAY. No, no; the president of the road.

Mr. MENKEN. I think it would have been better where they were efficient men.

Mr. CARAWAY. Well, you know they were retained where they were efficient, under a new title. Do you know what pay they receive? You say they were scandalously, inadequately paid.

Mr. MENKEN. I can not tell you the figures.

Mr. CARAWAY. Can you tell me within $20,000 of what it was?

Mr. MENKEN. I know the large salary was cut down very considerably.

Mr. CARAWAY. Do you know what a regional director of a railroad now gets? Can you come within $20,000 of his salary?

Mr. MENKEN. I don't want to guess.

Mr. CARAWAY. Well, you are abusing the Government for not paying enough. You have no idea, then, what he gets paid

Mr. MENKEN. I can not state that.

Mr. CARAWAY. Can not. Do you know what was the average increase of the men of the operative branch of the service—engineers, the firemen, and conductors under Government control?

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Mr. MENKEN. I can not state; no.

Mr. CARAWAY. You have no idea. Was it greater or less than when the Government took it over? Their present pay, is it greater or less?

Mr. MENKEN. It is greater now.

Mr. CARAWAY. Greater. So the Government proved to be a better paymaster or better employer of labor than the corporation that you so vigorously defended yesterday, didn't it?

Mr. MENKEN. The men did not get any more money under Government ownership compared to the purchase value than they did before. I think you will find that.

Mr. CARAWAY. When the Government took over the roads did it immediately raise the salary of the salaried employees and the wages of those who worked?

Mr. MENKEN. That controversy was pending at the time the Government took the railroads over.

Mr. CARAWAY. Why did the Government take them over?

Mr. MENKEN. Because they believed that they could operate them as one system better.

Mr. CARAWAY. They took them over to prevent a strike because the corporations would not pay them, didn't they?

Mr. MENKEN. Would not? Could not pay.

Mr. CARAWAY. Or would not.

Mr. MENKEN. No; could not.

Mr. CARAWAY. Could not?

Mr. MENKEN. No; because they could not make the money.

Mr. CARAWAY. Well, I thought you were showing yesterday how much more efficient the corporation was than the Government. That is the reason I was asking you how much more just it was with reference to the workingmen. You spoke a while ago of the editor of the—I won't say a while ago; yesterday—of the editor of the Army and Navy Journal as an expert—no; I big your pardon. You spoke of him as one man with whom you counseled, I believe, a member of your organization.

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Do you know whether or not the editor of the Army and Navy Journal was on friendly or unfriendly terms with the administration?

Mr. MENKEN. I never inquired.

Mr. CARAWAY. Never heard of any difference of opinion?

Mr. MENKEN. I know that he stood for the preparedness program of the league from the beginning.

Mr. CARAWAY. I believe you said that the editor of the Scientific American, J. Bernard Walker, is a great authority on naval affairs.

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Now, do you know where he got that reputation for being an authority on those matters?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Where?

Mr. MENKEN. Writing for the Scientific American and working on it—those problems.

Mr. CARAWAY. The Scientific American is a journal largely devoted to what purposes?

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Mr. MENKEN. To the recordation of scientific progress in the United States.

Mr. CARAWAY. I certainly never understood that before. You say the Army posts were scattered and not properly located, and, therefore, they greatly increased the cost of upkeep of the Army in your testimony yesterday. Do you stand by that statement?

Mr. MENKEN. I stood by it on the basis of the information I referred to.

Mr. CARAWAY. What is your information?

Mr. MENKEN. The statement from the official report contained in the article that I produced here yesterday.

Mr. CARAWAY. That is in Everybody's Magazine?

Mr. MENKEN. Yes.

Mr. CARAWAY. How many of those Army posts were found to be necessary when the present war broke out and, therefore, not misplaced, but where they would have to be constructed if they had not been there when the war was declared?

Mr. MENKEN. I do not know.

Mr. CARAWAY. Do you know whether there was one?

Mr. MENKEN. Well, we certainly used Governors Island; I know that.

Mr. CARAWAY. Well, did we use every one of them?

Mr. MENKEN. I don't think we used the Yellowstone Post.

Mr. CARAWAY. And wasn't the one cause of delay in calling out the men the inability of the Government to provide places for their training?

Mr. MENKEN. It certainly was.

Mr. CARAWAY. Was not that—so then we needed all the Army posts we had, and in fact, needed more, didn't we?

Mr. MENKEN. We needed more properly located Army posts.

Mr. CARAWAY. Well, didn't they happen to find all these properly located?

Mr. MENKEN. But they were not sufficient for any such numbers as we had.

Mr. CARAWAY. I know, but they were better than none, weren't they?

Mr. MENKEN. Very little.

Mr. CARAWAY. Very little. So then the only question you could find now of the vision of the men who located them was not their location, but as to the inadequacy of size; isn't that so?

Mr. MENKEN. And the waste of maintenance for a generation.

Mr. CARAWAY. Well, if you had had soldiers training for a generation the cost of maintaining and training them would not have been a waste of public funds, would it, although the men would have passed out of the list of active service?

Mr. MENKEN. It certainly would have been, because under any proper system we would never have had such posts.

Mr. CARAWAY. If you get to a universal military training do you know how many of these posts will be abandoned?

Mr. MENKEN. I hope most of them.

Mr. CARAWAY. Well, you know what the recommendation will be?

Mr. MENKEN. I have not read them. It is a prophecy of the future.

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Mr. CARAWAY. Yes. Well, you know most of the matters are being settled now by report. Do you know any one that is being urged by the department to be abandoned?

Mr. MENKEN. I do not.

Mr. CARAWAY. Under the increased Army bill. Now, another charge you brought against Congress—and I am just presuming it is shared in by your league; otherwise it is of no importance—was that Congress failed in its vision because it made no appropriation or preparation to care for the health and body and mind of the citizens. That is one of the reconstruction problems.

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. What is your program, Mr. Menken?

Mr. MENKEN. Why, I think that we ought to have a Department of Public Health.

Mr. CARAWAY. Well, you have——

Mr. MENKEN. I thought perhaps I might have it here for you. I think we ought to have a Department of Public Education to care for the mind.

Mr. CARAWAY. You have told us about that.

Mr. MENKEN. I think we ought to have a Department of National Conservation to care for the resources to a greater degree than we do.

Mr. CARAWAY. That would not be a social-justice problem, would it? You mean the conservation of natural resources like timber and coal?

Mr. MENKEN. And the general natural resources of the country.

Mr. CARAWAY. Well, what other would you include in that?

Mr. MENKEN. Oil.

Mr. CARAWAY. Oil? You and your Uncle Johnny who contributed so handsomely to the league would differ about that, wouldn't you?

Mr. MENKEN. I never consulted with him.

Mr. CARAWAY. You don't call that a social-justice problem, do you caring for national natural resources?

Mr. MENKEN. I think it relates very intimately to it—touches cost of living.

Mr. CARAWAY. And would you have anything about old-age pensions in your social-justice plan?

Mr. MENKEN. I have never quite agreed with that. Of course, these are my individual opinions, Mr. Congressmen. You are getting away from the league policy.

Mr. CARAWAY. You would pension a Member of Congress, who gets $7,500 a year and renders no service, according to your views; but a man who wore out his life in honest toil might starve on the street, and you would say that he is not entitled to a pension; is that so?

Mr. MENKEN. I——

Mr. CARAWAY. I just want your viewpoint on the question of social justice.

Mr. MENKEN. You put words in my mouth. If you will let me answer a question that is a fair one, or speak and explain——

Mr. CARAWAY. Well, start and explain. I am perfectly willing.

Mr. MENKEN. I do not think that I testified anything about pensioning Members of Congress. But I do think this—perhaps, I said it to you outside——

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Mr. CARAWAY. No, no; you did not talk to me.

Mr. MENKEN. Didn't I? I think a Senator who spends his time in the service of his country, with the pay he gets—the Congressman who gives 20 years to the service of his country during the cream of his life, gives all to his country—ought to be protected after a period of service and should be pensioned much the way we, in New York, pension our supreme court justices.

Mr. CARAWAY. Do you know how long he ought to serve before he is pensioned?

Mr. MENKEN. I should think after 20 years' service—18 or 20 years.

Mr. CARAWAY. Twenty years. If the league had its way they would be all cut off before they reached the 20-year pensionable status, wouldn't they?

Mr. MENKEN. I don't think so.

Mr. CARAWAY. Wouldn't they? Well, what do you say about non-employment insurance? Are you in favor of that?

Mr. MENKEN. I am not.

Mr. CARAWAY. You are not? Now, tell us what provision you would make for the workingman. You would care for the judge and raise his salary, and reaise the Army any the Navy officer's salary, and you would pension the Members of Congress. Now, what provision would you make for the man who actually produces the wealth of the country?

Mr. MENKEN. I would provide an efficient Government at the minimum expense, and provide healthful conditions for the workingman to live in, with full opportunity for his education, and equal opportunity to gain a living under just laws, and under administrative policies which would work without favor to any particular class of men, and with equal justice to both the capitalist and his labor.

Mr. CARAWAY. Well, you know, those are all generalities.

Mr. MENKEN. Well, good heavens! What else can a man answer to your question?

Mr. CARAWAY. I am certain you have never done anything else, and I am sure you are doing the best you can. Now, just tell us one specific thing you would do.

Mr. MENKEN. I would provide proper housing and proper help conditions.

Mr. CARAWAY. At whose expense?

Mr. MENKEN. At the expense of the people.

Mr. CARAWAY. You mean that is a Government expense?

Mr. MENKEN. Yes.

Mr. CARAWAY. That is, you would enter upon the housing problem of housing all the workingmen at Government expense?

Mr. MENKEN. I would offer opportunities for workingmen to get proper housing conditions in our great congested centers.

Mr. CARAWAY. Well, at Government expense?

Mr. MENKEN. Yes; making them pay for their housing as every workman would want to do under a proper system.

Mr. CARAWAY. Let me understand you. You want that the Government should first furnish funds to erect the houses and sell them to people who work at such a price and under such conditions that the workingman can pay for them.

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Mr. MENKEN. You are getting my individual ideas. These are not league "banners." You don't want my personal idea; they are of no importance. But I certainly would destroy the congested centers of our great city, which are the breeding spots of disease, and other unhealthy conditions, by providing for the construction of those centers and the upbuilding of them by proper structures.

Mr. CARAWAY. Well, that is all right. You would provide houses under such conditions that they would have to pay for them. Would you give them any other governmental aid?

Mr. MENKEN. I don't think the American workman needs very much aid from the Government. He needs a fair chance to get food and clothing at a proper price and live under normal conditions.

Mr. CARAWAY. Do you want to regulate the price of food and clothing by governmental agencies?

Mr. MENKEN. I believe that monopoly should be allowed in this country subject to—my private opinion again; it is not the view of the league——

Mr. CARAWAY. I understand.

Mr. MENKEN. I believe monopolies are an economic necessity and that great trusts should be allowed subject to strict governmental control as to sales price of commodities and the purchase price thereof and a reasonable payment to labor. It has nothing to do with the league, you know.

Mr. CARAWAY. I know; but, then, you brought it in. You said among the things that you wanted to correct was the lack of vision upon the part of Congress for social justice.

Mr. MENKEN. And education.

Mr. CARAWAY. That is social justice, and I am trying to find out where you go. If this workman fell sick would you extend him any aid?

Mr. MENKEN. Provided he contributed to a fund for that purpose. I should think that governmental health funds—health funds under Government supervision—would be a very desirable thing.

Mr. CARAWAY. In other words, you would take from his wages each week a sufficient sum to guarantee him against sickness?

Mr. MENKEN. Yes.

Mr. CARAWAY. And you would control his wages also by governmental agency?

Mr. MENKEN. I would not. I would leave that subject to the economic law of supply and demand.

Mr. CARAWAY. How could you take from his wages if you had no control over them?

Mr. MENKEN. Well, then, if he did not contribute he would not participate in the fund.

Mr. CARAWAY. Oh, yes.

Mr. MENKEN. I would not coddle the workingman in any sense whatsoever.

Mr. CARAWAY. Do you believe in a mothers' pension fund?

Mr. MENKEN. I don't think I do.

Mr. CARAWAY. You think that it is perfectly legitimate to let the mother and the child go without any kind of means to live in decency if they happen to be left poor?

Mr. MENKEN. Well, this would not concern the league, either.

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Mr. CARAWAY. But this comes in under your arraignment of Congress for lack of vision in social legislation.

Mr. MENKEN. I think the American man takes very good care of the American woman.

Mr. CARAWAY. Yes; but the American man dies when you get him in the Army sometimes, and leaves a widow and children. Would you make any provision in your program for their care?

Mr. MENKEN. If that was deemed necessary by social workers I would consider it very carefully.

Mr. CARAWAY. You are not prepared to say whether you would be in favor of it or not?

Mr. MENKEN. No; I am not.

Mr. CARAWAY. Don't you think that the food of children of tender years is about as essential as education to those who are more advanced?

Mr. MENKEN. Very essential.

Mr. CARAWAY. And yet you are not prepared to say that you would be willing to extend aid to the children that are left on the streets without parents?

Mr. MENKEN. I am in favor of that.

Mr. CARAWAY. Well, then, you are in favor of some kind of a pension fund for destitute mothers and children, are you?

Mr. MENKEN. I think the State ought to look after its wards.

Mr. CARAWAY. Well, I thought you said a little while ago you did not think you were, and I was just trying to find out where you stood. You know it is always instructive to get the viewpoint of a man who is going out, you know, to reform the world; because we want to know what is coming to us. I believe you told me that Kahn told you the President sent for him and put him in charge of the military bill in this spring of 1917.

Mr. MENKEN. Certainly, the conscription end of it; but I may have been in error when I said the entire bill.

Mr. CARAWAY. But the conscription end of the bill.

Mr. MENKEN. I understood so. I judge then it was an amendment.

Mr. CARAWAY. Well, did he tell you the President sent for him and put him in charge of that?

Mr. MENKEN. He told me of his conversation with the President.

Mr. CARAWAY. Well, did he tell you that?

Mr. MENKEN. My best recollection is that he did.

Mr. CARAWAY. He told you that the President sent for him and put him in charge?

Mr. MENKEN. My best recollection is that he said the President sent for him and asked him to take that up.

Mr. CARAWAY. I remember a rather short retort you made to a member of the committee, Mr. Johnson, about corporations being legal, and that some people tried to prey upon the prejudice against corporations to get votes. Would there be any prejudice against a corporation if the corporation had always acted fairly and justly towards the people?

Mr. MENKEN. I do not know.

Mr. CARAWAY. You are not prepared——

Mr. MENKEN. I think there is prejudice against corporations because of many reasons.

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Mr. CARAWAY. Well, is a corporation at all to blame for that?

Mr. MENKEN. Historically the corporations are very much to blame for it.

Mr. CARAWAY. Well, then the blame—are the corporations better now than formerly?

Mr. MENKEN. I think they are nearer right.

Mr. CARAWAY. Are they right now?

Mr. MENKEN. I spoke of the large corporations that to-day in this country try to conduct their affairs on an enlightened basis of fair dealing.

Mr. CARAWAY. How many corporations had to be taken over when the war broke out in order to get the supplies necessary to furnish the Army to defend this country?

Mr. MENKEN. Taken over by the Government?

Mr. CARAWAY. Yes, sir.

Mr. MENKEN. Comparatively few.

Mr. CARAWAY. That is, dealing with governmental necessities like munitions and arms and ships; you think comparatively few had to be taken over because they would not cooperate with the Government?

Mr. MENKEN. Yes, sir.

Mr CARAWAY. Now, you have not gone—you have not given any thought to that question, have you?

Mr. MENKEN. I know the big plants, the big corporations like the Bethlehem, the United States Steel Co., the Du Pont plant, rendered wonderful service in cooperating with the Government.

Mr. CARAWAY. Did they have to have any governmental regulation and supervision in order to get that service out of them?

Mr. MENKEN. I think they had Government funds given to them.

Mr. CARAWAY. Well, did they have any Government control extended over them? You certainly know.

Mr. MENKEN. I would not want to say how much the control is.

Mr. CARAWAY. Wouldn't want to say; no. I am skipping a bit here, but I just want to ask you this question. You spoke in such glowing terms of the Army and Navy officers of this country—and I am not falling out with you about that—but I remember you used over and over again the expression that the Congress should listen with reverence, with respect, to their advice. Do you know a single branch of the service that did not have to be put into the charge of a civilian finally to get any kind of efficiency in it when we did try to equip ourselves for war?

Mr. MENKEN. The active command of the Army in the field was left entirely in the control of Army officers.

Mr. CARAWAY. Possibly I would not think that was a productive line, but maybe it was. Was your Army able to manufacture guns?

Mr. MENKEN. No; because Congress had not ever equipped and trained them the way they asked to be allowed to be equipped and trained in their repeated communications to Congress.

Mr. CARAWAY. Now, let me get back to that answer. Do you know what the provision was for making Springfields in a purely governmental shop in 1916?

Mr. MENKEN. 1916? I can not tell you the figures.

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Mr. CARAWAY. Did you know that the Army reported that we had 1,200,000 Springfield rifles ready to put in the hands of the men in 1917, in April?

Mr. MENKEN. I remember something like that.

Mr. CARAWAY. Do you know how many they did actually have?

Mr. MENKEN. I think it was about 675,000.

Mr. CARAWAY. Just about a little less than what they said they had, although the Government paid for them. Let me ask you another thing: Do you know whether we were able even to make the Springfield rifles, and if not, why we were not able to make it in quantities sufficient to arm our troops and had to abandon its use?

Mr. MENKEN. We did not have the dies and machinery.

Mr. CARAWAY. Yes; and had Congress made a provision for that purpose?

Mr. MENKEN. Yes; but I think it was too late.

Mr. CARAWAY. Well, it was not expended, was it?

Mr. MENKEN. Oh, no; but they could not get it, and they said repeatedly in the reports made to Congress that it would take so many years, and one of the first utterances Mr. Gardner made was to tell all his fellow Members of Congress that you could not produce these arms, could not produce 42-milimeter guns over night, or in a year.

Mr. CARAWAY. I am talking about Springfield rifles. I am not talking about 42-milimeter guns.

Mr. MENKEN. Well, the same thing applies.

Mr. CARAWAY. Do you know they did not have patterns?

Mr. MENKEN. That is all the more reason.

Mr. CARAWAY. Do you know that we had to take over the shipyards in order to get ships?

Mr. MENKEN. Some of them.

Mr. CARAWAY. Had to take over the gun factories to get guns?

Mr. MENKEN. Yes.

Mr. CARAWAY. Had to put a civilian in charge of aeroplanes because after we had spent $640,000,000 under the Army we did not have a single combat plane?

Mr. MENKEN. I know that.

Mr. CARAWAY. And military men, of course, were running it. We never had a plane on the battle front so long as the military man was in charge of the production of them, did we?

Mr. MENKEN. Hardly any.

Mr. CARAWAY. No; not a one; not "hardly." Did not have one, did we?

Mr. MENKEN. I think not.

Mr. JOHNSON. The committee stands adjourned to 10 o'clock tomorrow morning.

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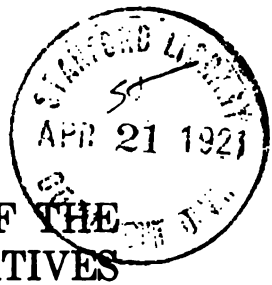

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 11, 1919

PART 6

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
New York, N. Y., Saturday, January 11, 1919.

The committee met at 10 o'clock a. m. in the rooms of the New York Bar Association, 42 West Forty-fourth Street, New York City, Hon. Ben Johnson (chairman) presiding.

The CHAIRMAN. The committee will come to order.

Mr. Caraway had some questions, I believe.

STATEMENT OF S. STANWOOD MENKEN—Continued.

Mr. CARAWAY. You were speaking of the Army program yesterday. What is your idea should be the number of enlisted men in the Regular Army, aside from your nine-months men?

Mr. MENKEN. Now you are getting my personal opinion, Congressman, only. In my league work I have always referred those matters to a very distinguished committee—they have always been referred to a very distinguished committee of experts. There are several ex-Secretaries of War on that committee. Personally I think we ought to have just enough of a Regular Army to afford a skeleton for expansion, basing our strength upon universal obligatory military service furnishing us young men.

Mr. CARAWAY. What would you say should be the size of the skeleton Army?

Mr. MENKEN. I think that largely depends upon the result of the peace conference.

Mr. CARAWAY. You have no desire, then, to express an opinion at this time upon that question?

Mr. MENKEN. I do not think anybody can intelligently, sir.

Mr. CARAWAY. Now, referring to your naval program, that England and America should have a two-power navy, that is, a navy equal to the combined navies of any other two powers, do you—I believe that is your position?

Mr. MENKEN. Subject to conditions developing satisfactorily at the peace conference.

Mr. CARAWAY. Well, then, I understood you to say yesterday, regardless of what the peace conference might be, that we ought, in connection with England, to maintain a two-power navy. You don't adhere to that?

Mr. MENKEN. We should have at least that much.

Mr. CARAWAY. Well, does it impress you that if England and America would enter into a combination for a two-power navy, a navy equal to the combined navies of any other two powers, that those other powers would naturally combine to build themselves a navy,

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and we would commence the same race for armament that we l
before the war?

Mr. MENKEN. I think this: The diplomacy of the United State
without force or effect unless we have the power to enforce the c
clusions of our people as to any matter whatsoever, and we sh
have that force at all times.

Mr. CARAWAY. Does that answer the question? Do you think it
commenced to build a Navy that other nations would not be compe
to do the same thing? They may need force to have their diplon
respected to, do they not?

Mr. MENKEN. They have that idea, I believe.

Mr. CARAWAY. Well, don't you agree with them?

Mr. MENKEN. I think it is a justifiable national ambition on t
part.

Mr. CARAWAY. And then we would commence the race for armai
that we had before the war, wouldn't we?

I am expressing no opinion on it myself, but just simply tryin
get yours.

Mr. MENKEN. Yes; but America must be independent on the
absolutely. There must be no question about that.

Mr. CARAWAY. That brings us to another question. Do you f
the so-called league of nations?

Mr. MENKEN. I do not.

Mr. CARAWAY. Do you agree with Mr. Wilson on his freedom o
seas doctrine?

Mr. MENKEN. Why, I don't know. I am waiting for Mr. W
to let us know exactly what he does mean about those subjects.

Mr. CARAWAY. What is your idea of the freedom of the seas,
spective of what Mr. Wilson may think about it?

Mr. MENKEN. I think that we Americans have to be for Am
first, last, and at all times; and the highest duty we have got to c
zation is to perfect the working of our own democracy, and gradu
that influence will spread and permeate the world.

Mr. CARAWAY. I wonder if that was not the very thing you acc
Mr. Hearst of standing for—America first—and therefore bein
tirely disloyal to civilization?

Mr. MENKEN. I never did anything of the kind. What I acc
Mr. Hearst of was this: At a time when Congress and the peo
when the people of America had not asserted their internat
rights, and the British Navy was defending America and civiliza
when France was fighting our battle, the Hearst papers failed to
the depth of our obligation to Britain and France or to recogni
a great, broad, noble sense the service that Britain and France
rendering to oppressed humanity.

Mr. CARAWAY. Well, now, do you recall your exact language in
rather long arraignment of Mr. Hearst you read into the record
terday or day before yesterday?

Mr. MENKEN. I do.

Mr. CARAWAY. In which you said that he tried to arouse——

Mr. MENKEN (interposing). I said he selfishly raised the c
"America first" in order to prevent our cooperating with the
nations that were fighting our battles.

Mr. CARAWAY. Did you say that in that statement?

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Mr. MENKEN. I did; most certainly.

Mr. CARAWAY. Do you want to carry your America-first doctrine ar enough to build a navy equal to that of Great Britain, or greater?

Mr. MENKEN. I certainly do, if our statesmen believe there is any menace from Great Britain.

Mr. CARAWAY. We are taking your viewpoint. Didn't you answer udge Saunders yesterday or the day before that we were not building in strife with Great Britain at all for naval supremacy?

Mr. MENKEN. I believe, also England owes so much to America, with kinship of ideals and purposes, that will make national unity—international unity—of purpose between the two countries the great probability of the future period.

Mr. CARAWAY. Well, you don't think that answers the question, do you?

Mr. MENKEN. I certainly do.

Mr. CARAWAY. Well, do you mean by that, then, that you are not to take England's Navy into consideration when we go on building a navy for our defense on the sea?

Mr. MENKEN. I think if the view of the international experts, men who know Britain, concurs with the view you express, that we are not obligated to compete with Britain on a naval program, and that we must recognize the fact that England, a maritime nation, has a coast line to defend greatly larger than ours. As I understand it from a naval expert, the measurement of naval requirements is based largely upon the amount of coast line that a country has to defend, and that that is the basis of standardization of the defense force required.

Mr. CARAWAY. Then, when you speak of the coast line of England having such a vast coast line you take into consideration her colonies?

Mr. MENKEN. That is part of Britain, sir; yes, sir.

Mr. CARAWAY. Well, you know some of the colonies have a naval policy of their own. For instance, Australia is building her own navy.

Mr. MENKEN. I know; but Australia is a new land and can not do a great deal, in spite of its great vigor.

Mr. CARAWAY. You said the other day, I believe, in your first examination, that you one time were a candidate for office on the Henry George ticket?

Mr. MENKEN. The Citizen's Union and the Henry George ticket together.

Mr. CARAWAY. Did you agree with Henry George on his theory of taxation?

Mr. MENKEN. There is a great deal of underlying merit in some of the Henry George propositions, if not carried too far.

Mr. CARAWAY. You know that is a proposition that you can carry only so far and no farther—the single-tax theory. Do you agree with him or not? There is no halfway ground on that.

Mr. MENKEN. Oh, yes, sir. Allow me to differ.

Mr. CARAWAY. Well, I know you differ. Where does it lie? Where does the halfway lie?

Mr. MENKEN. Henry George's single-tax theory is based upon excessive taxation, or intensive taxation, of vacant ground. It is based upon the theory that unearned increment belongs to the people. They

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have adopted that principle to a very large degree in England and Scotland, as you know; and, on a moderate basis, I think there is justice in it. The increment that is earned by the people ought to be returned to the people.

Mr. CARAWAY. All or just part?

Mr. MENKEN. I say a part. I think Henry George went too far I want to say this: I was not a Henry George man when I was nominated. The indorsement came voluntarily.

Mr. CARAWAY. That brings me to a question I wanted to ask you. Yesterday we agreed that your plan for the Military Establishment would give us a tax budget of about $7,000,000,000 a year.

Mr. MENKEN. No, sir; we did not agree on that. I differed with you entirely.

Mr. CARAWAY. Well, what would be your idea—if it requires any such vast sum, what would be your theory of taxation?

Mr. MENKEN. It won't require any such sum.

Mr. CARAWAY. That is not the question. I say, presuming it does, what lines would you pursue in raising it?

Mr. MENKEN. I can not presume the impossible.

Mr. CARAWAY. Well, that is not the impossible. We are raising that much money now. What is your theory of raising a budget of that size?

Mr. MENKEN. I should refer that to the expert economists. I should have a tax board of men like Prof. Seligman and Prof. Jenks and other men like them.

Mr. CARAWAY. You have no opinion on it at all?

Mr. MENKEN. I think it is a great scientific question that ought to be solved by experts.

Mr. CARAWAY. You have no opinion on it?

Mr. MENKEN. I think a layman is found to err just as Congress erred in many details of the tax program.

Mr. CARAWAY. I say, you have no opinion on that yourself?

Mr. MENKEN. I have no opinion I would care to communicate, sir.

Mr. CARAWAY. Well, the reason I am asking you that, I remember you said so frequently that the people were asleep. It was the duty of the citizens to awake, and the question of taxation is a very vital question, and I thought possibly you had waked up on that.

Mr. MENKEN. I think I have been awakened.

Mr. CARAWAY. Well, then, what is your theory?

Mr. MENKEN. I think we ought to have maximum economy and minimum taxation.

Mr. CARAWAY. That is a generalization. What subject would you tax? Would you raise income taxes and lower the exemptions?

Mr. MENKEN. No; I think taxes ought to be borne by all the people.

Mr. CARAWAY. Then you would lower the exemptions, wouldn't you?

Mr. MENKEN. I would lower the exemptions

Mr. CARAWAY. What would be your limit?

Mr. MENKEN. I think every man ought to pay income tax.

Mr. CARAWAY. Every man, if he gets a dollar a day, should pay something?

Mr. MENKEN. Yes, sir; he gets the benefit, and he should help bear the burden.

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Mr. CARAWAY. And there should be no exemptions under your theory?

Mr. MENKEN. No, sir.

Mr. CARAWAY. Would you raise the rate as the income increases?

Mr. MENKEN. I think that is perfectly just.

Mr. CARAWAY. Well, would you ever reach the limit suggested by 50 men who came to Congress, that above $100,000 the rate should be 92 per cent?

Mr. MENKEN. I would not.

Mr. CARAWAY. You would not do that. Well, what do you think of the tariff? That is a tax problem as well as a political one.

Mr. MENKEN. I will have no secrets, Congressman, by the time you get through with me.

Mr. CARAWAY. Well, you will if you don't answer other questions any more definitely than you do these. You have preserved all you ever started in with.

What is your theory with reference to the tariff? Should we raise our revenues by a tariff?

Mr. MENKEN. I used to be a free-trade Democrat; I am not a believer in free trade any more. I think a tariff is necessary and valuable to labor and capital.

Mr. CARAWAY. The question that I started to ask you by asking you that first was, you stated yesterday or day before that we needed tariff experts; that we have an unscientific tariff system. Now, the question of whether we shall have a tariff or no tariff is not one that you could submit to an expert; that is a political question pure and simple, isn't it?

Mr. MENKEN. The fundamental question of whether we have a tariff or no tariff is a political question.

Mr. CARAWAY. And the expert can only come in when you go to making rates.

Mr. MENKEN. We would have to adopt a policy.

Mr. CARAWAY. And make rates. So do you want a tariff? That is the question I am getting at.

Mr. MENKEN. My criticism was this: We have had 14 tariff bills in this country; we have had hundreds of amendments, and each tariff bill has resulted in an industrial unrest and panic, and the whole thing has been handled in a very unscientific way. If you will look at Taussig's History of the Tariff you can find what you have done.

Mr. REAVIS. Will you pardon me? I don't quite get what you say. You say each of the 14 tariffs have been followed by a panic?

Mr. MENKEN. Yes, sir; and the cost of a new tariff bill to American industry and business has been incalculable. It has been one of the grossest series of mislegislation we have ever had in this country. It is natural perhaps that we should have it, because it has been made for political purposes.

Mr. CARAWAY. The only question I was trying to find out from you is you believe we should have a tariff, and then that the rates should be submitted to experts?

Mr. MENKEN. Yes, sir; the only way to protect American labor is to have a tariff.

Mr. CARAWAY. Well, now, since you brought in the question of American labor, when you were organizing your National Security

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League did you go to any leader of labor and ask him to participate in the organization?

Mr. MENKEN. Yes, sir; to a great many of them.

Mr. CARAWAY. Who are they?

Mr. MENKEN. I recall in particular a gentleman by the name of Samuel Gompers.

Mr. CARAWAY. Is he a member?

Mr. MENKEN. He has spoken for us on several occasions. I don't know that he is a member. Mr. Neill, Commissioner of Labor, has worked with us very assiduously. He has been a member of one of our committees.

Mr. CARAWAY. Were they consulted in the original organization?

Mr. MENKEN. Shortly after we organized I went down and saw Mr. Gompers. I have had several—not several, but one or two talks with him.

Mr. CARAWAY. Well, reverting to politics, you were offered at one time a nomination for Congress, I believe you told me?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Who offered it to you?

Mr. MENKEN. Mr. Charles F. Murphy.

Mr. CARAWAY. You declined it on what theory?

Mr. MENKEN. I had been engaged for many months in trying to get a union of our very much divided Democratic Party, bringing in the men who were known as the Cleveland Democrats, the county democracy Democrats, men who had not worked with the party, who were anti-Tammany; and I had been working with an idea of getting a conference of Democrats of all kinds, to see whether we could not unite in having a successful State ticket. As I had done the main part of that work in gathering that conference together, of course, I could not profit by any prominence that I got out of my own activities.

Mr. CARAWAY. And you did decline it then because you had been a mover in it?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. Not because you would not accept the nomination at the hands of a boss?

Mr. MENKEN. It never got that far. I simply declined upon the spot.

Mr. CARAWAY. I thought you declined simply because you would not accept, in view of the fact that you had been instrumental in bringing together the harmonious blending of the factions?

Mr. MENKEN. I have never accepted anything from Mr. Murphy. I never wanted anything.

Mr. CARAWAY. That wasn't the question I asked you.

Mr. MENKEN. It would not have been a nomination at the hands of a boss if I had gotten it that way, because the district I was in was a very independent district and I would have had to have the independent nomination.

Mr. CARAWAY. Then it is hardly accurate to say that you were offered a place in Congress when you say you still would have had to go out and fight for it.

Mr. MENKEN. I happened to be the head of the independent movement and had the nomination, so I think I would not have had any difficulty.

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Mr. CARAWAY. You have made a very sweeping arraignment of the delegation in Congress from New York the other day. How many members have you in the House from this State?

Mr. MENKEN. Thirty-six, I think it is.

Mr. CARAWAY. How many from the city of New York?

Mr. MENKEN. I think about 21.

Mr. CARAWAY. Do you know the names of your congressional delegation?

Mr. MENKEN. I know the names of some of them.

Mr. CARAWAY. How many?

Mr. MENKEN. I think I could name six or seven.

Mr. CARAWAY. Six or seven out of 36?

Mr. MENKEN. Out of 21.

Mr. CARAWAY. You know you happen to have a good many more than you say; but leaving your 36 and your 21, how many could you name out of the 21?

Mr. MENKEN. Let me see—I think eventually seven.

Mr. CARAWAY. Let us put them in the record.

Mr. MENKEN. Congressman Siegel, Congressman Carew, Congressman Dooling, Congressman Smith, Congressman Fairchild, Congressman Charles Pope Caldwell, Congressman Chandler. That is six.

Mr. CARAWAY. That is the extent of them? I will ask you this question: Is it hardly fair to condemn as absolutely inefficient, to put it mildly, a lot of Congressmen from your State that you do not know and can not even name?

Mr. MENKEN. Why, I think the mere fact that a man, who is interested in politics in New York City, lives here in the community, where the Congressmen fail to make enough impress to have their names identified is rather proof positive of the fact that those men have not been representative or active in a broad sense or their names would bear an impress.

Mr. CARAWAY. Suppose we put it the other way, and say that a man who sets himself up to enlighten the community and yet don't know the Representatives that represent him in Congress may not have studied all the public questions sufficiently to lead the public.

Mr. MENKEN. My point is this: Here we have a great city; you are my Representative; I am your constituent—those men of Arkansas that you represent—the fact about the matter is that the great commercial center of New York, which should give to the Nation men of all walks of life, able to talk on all subjects, responsive to all public needs, has not for a generation sent a body of great men to Congress. Now, you know it as well as I do.

Mr. CARAWAY. No; I know you have got some very, very able men in Congress.

Mr. MENKEN. Yes; we had a great man in Mr. Fitzgerald.

Mr. CARAWAY. Yes.

Mr. MENKEN. I think Mr. Siegel does good work, and Mr. Carew and Mr. Caldwell.

Mr. CARAWAY. You have some able men in Congress, and I happen to know some of them. I just wanted to know if you think you should condemn all of them and not know any.

Mr. MENKEN. I know six.

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Mr. CARAWAY. You know the names of six. Would you know them if you saw them? How many of the six were defeated at the last election and how many were returned?

Mr. MENKEN. Mr. Chandler was defeated.

Mr. CARAWAY. Who else?

Mr. MENKEN. I don't recall.

Mr. CARAWAY. It was suggested to me, and I was to ask it in that form—in your original indictment of the delegation from New York, and especially from the city of New York, you said they were misrepresentatives.

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. If they had misrepresented you you would know in what respect they had misrepresented you, wouldn't you?

Mr. MENKEN. No; the duty of a man in Congress is affirmative, not negative.

Mr. CARAWAY. Oh, if he goes up there and betrays the trust of the people, wouldn't you hear it?

Mr. MENKEN. That is not what I mean by misrepresentatives.

Mr. CARAWAY. What do you mean?

Mr. MENKEN. I mean to say that any Congressman that don't fulfill in the broadest and highest sense his duty to the Nation is a misrepresentative.

Mr. CARAWAY. In what respect did they fail? Certainly I hold no brief for your Congressmen, because they need none, but I am just finding out your viewpoint.

Mr. MENKEN. I don't think they have stood in any great national way for reconstruction or for great national policies they have not become national figures, or they haven't stood for the great national policies. Take Murray Hulbert, he did a great deal of splendid work, but as a general proposition our Congressmen have not risen to the standard that a great city has got a right to expect of its representatives.

Mr. CARAWAY. Do you think a city has any more right to expect great things of its representatives than a country district has of its representatives?

Mr. MENKEN. You have got a right to expect from a great city like New York that some men of signal ability will be sent to Congress from it.

Mr. CARAWAY. Do you think the ability of city men is higher than that of the more sparsely settled communities?

Mr. MENKEN. Well, first, the men of New York City, nine out of ten of the able men of New York who are in New York, are men who come from other sections, of the South, North, West, and East. So there isn't such a thing as a New York point of view, or a New York man, specifically. New York is a national institution and the men who are here, who have the broader touch with life, ought to represent another view that is of value to the Nation. It is a different kind of a view, but it isn't any more valuable.

Mr. CARAWAY. Is it a fact that these people come from other cities—any proof positive of their superior qualifications?

Mr. MENKEN. The fact that——

Mr. CARAWAY (interposing). Or broader viewpoint?

Mr. MENKEN. An immigrant is a man who is apt to be more vigorous than a man who stays at home.

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Mr. CARAWAY. And the man who leaves his native place, regardless of the cause of leaving, is more apt to be an influential man where he goes than the man who was born and raised there?

Mr. MENKEN. I wouldn't say that.

Mr. CARAWAY. You would naturally infer it, wouldn't you?

Mr. MENKEN. No, sir; the personal equation enters into all these things. You can't generalize on them.

Mr. CARAWAY. Well, now, yesterday you spoke of your experts, and this morning you referred to a reconstruction policy. Did you read the speeches made by men of large business that met recently in what was called a reconstruction congress in Atlantic City?

Mr. MENKEN. I was not well at the time of that congress, and I did not read all the speeches. I knew of it and was very anxious to go there.

Mr. CARAWAY. Very able men participated in it?

Mr. MENKEN. I know about it.

Mr. CARAWAY. You haven't, therefore, any opinion as to the merits of the program there set forth?

Mr. MENKEN. No; because I have not studied it.

Mr. CARAWAY. What is your program for reconstruction, Mr. Menken?

Mr. MENKEN. That is a question which on analysis in England was found to evolve the appointment of 130 committees under Government direction. They have appointed in Britain Sir Eric Geddes as minister of reconstruction. They recognize the fact that the world has changed through the war; that there are new problems that affect life, the structure of the nation, the welfare of the people, and those questions are as numerous and as infinite as there are details.

Mr. CARAWAY. Well, does that answer the question?

Mr. MENKEN. I should have boards of experts pass on all these questions.

Mr. CARAWAY. You have no opinion, then, yourself?

Mr. MENKEN. There are so many questions, if you ask me in detail I can answer it.

Mr. CARAWAY. Now, let us examine the question of experts. You want an expert on the Navy and on the Army? We agreed on that yesterday.

Mr. MENKEN. Yes.

Mr. CARAWAY. That Congress should listen with reverence and respect to the experts on these two branches of the service?

Mr. MENKEN. Quite proper, sir.

Mr. CARAWAY. Now, should we have an expert on business?

Mr. MENKEN. We should certainly listen to the expert on business.

Mr. CARAWAY. Now, that is three that we should listen to with reverence and respect. We should have an expert on education and public health, I believe you say.

Mr. MENKEN. We certainly should.

Mr. CARAWAY. You would make that a Cabinet member. By the way, how many members of the Cabinet have we now, Mr. Menken?

Mr. MENKEN. I can name them. [After a pause.] The Secretary of State, the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of the Treasury. The Postmaster General is a Cabinet officer—I don't know why? We have the Attor-

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ney General. I think I have named them all. Let me see—have I skipped one?

Mr. CARAWAY. You skipped two.

Mr. MENKEN. I will give it to you in a minute. [After a pause.] The Secretary of Labor and the Secretary of Agriculture.

Mr. SAUNDERS. You have left out one still.

Mr. CARAWAY. That is mighty close.

Mr. MENKEN. The Attorney General—yes, I have missed one.

Mr. CARAWAY. Well, we will let that go. It is just a question of civics. Now, you want to add two more to the Cabinet.

Mr. MENKEN. I said one.

Mr. CARAWAY. I thought you wanted a Cabinet member on education and one on public health.

Mr. MENKEN. No; I wouldn't have a Cabinet member on public health. I would have a commissioner of health with a good appropriation and some broad policy.

Mr. CARAWAY. We have a bureau on that subject now, you know.

Mr. MENKEN. I know.

Mr. CARAWAY. Now, you would have an expert on business. What do you think of the Federal reserve banking act, Mr. Menken?

Mr. MENKEN. I think it is the best-drawn statute I have ever had the privilege of reading.

Mr. CARAWAY. Did you know that practically every expert banker in the country opposed it, and that Congress had to pass it in spite of all the experts?

Mr. MENKEN. That is a generalization.

Mr. CARAWAY. Do you know a man in New York prominent in banking circles that did not oppose it?

Mr. MENKEN. I did not follow that matter.

Mr. CARAWAY. Well, that is a very vital question.

Mr. MENKEN. I mean I don't know personally the opposition; but it is a great act.

Mr. CARAWAY. Well, do you know any banker that was for it?

Mr. MENKEN. I can't name any now.

Mr. CARAWAY. And Congress had to pass it in spite of the experts didn't it? And yet it meets your approval?

Mr. MENKEN. I think they had all kinds of expert advice of the very highest order in connection with that act.

Mr. CARAWAY. I happened to be a Member of the House at that time and I found none of them.

I will ask you another question. What do you think of the so-called farm Federal loan banks, Federal land bank?

Mr. MENKEN. They are a very useful institution.

Mr. CARAWAY. Do you know a single expert that favored that?

Mr. MENKEN. Yes.

Mr. CARAWAY. Who?

Mr. MENKEN. Mr. Robert Van Cortlandt, of Kane, Van Cortlandt & Co. He spent years trying to have that passed.

Mr. CARAWAY. With whom did he labor?

Mr. MENKEN. He labored with Congress.

Mr. CARAWAY. Did he submit any brief or statement?

Mr. MENKEN. I can't testify under oath exactly what he did, but I know he devoted years to the work.

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Mr. CARAWAY. I don't happen to know that name is the reason I asked. If he was ever connected with it I never heard of it.

Mr. MENKEN. He is one of the prominent bankers here.

Mr. CARAWAY. Well, practically all the companies engaged in making farm loans, who are presumed to be expert on that question opposed it, didn't they?

Mr. MENKEN. I don't know.

Mr. CARAWAY. Do you believe in party government?

Mr. MENKEN. I certainly do.

Mr. CARAWAY. If you were a Member of Congress, if again they should offer you a seat and you accepted it, would you support your party program or bolt?

Mr. MENKEN. I should support it.

Mr. CARAWAY. Yesterday you said that you agreed with Senator Weeks in his reconstruction program.

Mr. MENKEN. Yes.

Mr. CARAWAY. And rather held Congress up for not pushing it through.

Mr. MENKEN. Yes.

Mr. CARAWAY. You knew the President, the leader of the party in power, was opposed to it?

Mr. MENKEN. As I understood it the President was not opposed to the principle of a reconstruction commission; it was the matter of the appointment of the commission.

Mr. CARAWAY. Yes; it was the matter of Congress taking any action in the matter. Would you, then, in that view of the subject, if you had been elected as a Democrat, would you have agreed with Senator Weeks or would you have agreed with the leader of your own party?

Mr. MENKEN. I don't recognize that the President is the leader of the party. I think the President is the leader of the people and that party government and the President are a thing apart.

Mr. CARAWAY. Well, if your party—you don't agree with the President on that; he says he is the head of the party.

Mr. MENKEN. Yes; I read his address on congressional elections on that subject.

Mr. CARAWAY. And there isn't anything, when it comes down to particularities, that you agree with the President about, is there, Mr. Menken?

Mr. MENKEN. There is a great deal that I agree with the President about.

Mr. CARAWAY. We have never yet been able to find one single thing that you agree with the President on. You disagree with him on the league of nations, on freedom of the seas, and on the Weeks resolution—on all those things we have yet mentioned.

Mr. MENKEN. I have disagreed with him on those three things; yes.

Mr. CARAWAY. You differ about his being the leader of his party. Now tell us what you agree with him about.

Mr. MENKEN. Is that germane to this investigation?

Mr. CARAWAY. Yes; your viewpoint is, because you are the organizer of the Security League and one of the executive committee, and I take it that you were very largely influential in its councils.

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We want to know where you stand, because I think we will know where the league stands then.

Mr. MENKEN. I am not president of the league.

Mr. CARAWAY. No; I know you are not now by reason of an interview that you gave out, but still you are influential in its councils.

Mr. MENKEN. Why, I have agreed with all the President's prowar utterances after 1917—on November 11—in 1915, when he spoke at the Manhattan Club against our entering the war, I did not agree with him, but on December 3, when he spoke in favor of preparedness—on November 11, when he spoke against preparedness at the Manhattan Club, I did not agree with him, but on December 3, when he changed his mind and spoke in favor of it, I did agree with him, and I have agreed with a great many of his messages to Congress as to preparedness.

Mr. CARAWAY. I am asking you what you agree with him on now with reference to the present program.

Mr. MENKEN. I don't know what the present program is. I have been listening very hard to find out what the program is.

Mr. CARAWAY. He set it forth in a rather lengthy message. I thought maybe you read it.

Mr. MENKEN. I don't think it is clear.

Mr. CARAWAY. That is like a man down in my State who said the trouble with Senator Lodge was he just couldn't understand the President, yet this man understood him perfectly.

Mr. MENKEN. That shows how much superior the gentleman in your State was than Senator Lodge.

Mr. CARAWAY. I realize that. There are always these folks who see beyond others.

The question, I think, was injected into this examination the other day by yourself in saying that the necessity was to arouse the people; that the people were asleep, and that the duty of a good citizen was to wake up and take a vital interest in all public questions.

Mr. MENKEN. Yes; and I said the party should be restored to the people.

Mr. CARAWAY. That is still your theory?

Mr. MENKEN. Yes.

Mr. CARAWAY. You spent years, I believe, you say, on the east side teaching the immigrants, trying to arouse a spirit of Americanism among them?

Mr. MENKEN. I said I spent considerable time during a period of three years.

Mr. CARAWAY. Well, that means that a citizen should have an opinion on all vital questions, shouldn't he?

Mr. MENKEN. He should have an opportunity to get information, and he should have an opportunity to form his opinions.

Mr. CARAWAY. What is your opinion with reference to the merits of the present difficulties between the milk people and the city of New York? That is a vital question. Do you agree with the dairymen or with the mayor?

Mr. MENKEN. I have been in the milk business by indirection.

Mr. CARAWAY. I know where your sympathies are, then, but I want to know where your belief is.

Mr. MENKEN. By indirection I have just had the duty of winding up a large milk company, as counsel for the receiver, and the milk

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business in New York City is the result of bad economics. It is a cry to the right solution. The difficulty with the milk business in New York City is this: We ought to have a single milk company. If you will visit me some morning at the gentle hour of 5.30, and look out of my window you will find half a dozen milk wagons parading up and down in one block. The result is we have duplication of service at the expense of the people. There ought to be a general clearing house and one delivery service.

Our company—the company where I represented the receiver—went broke because it could not make a half cent a quart more on milk at 14 or 15 cents a quart. There is wastage. The farmer is getting 3 or 4 cents, and it was the wastage in delivery in handling it that caused it. That is one of those cases where we ought to tolerate a trust or a combination under State control, regulating the price to be paid for it to the farmer and the price to be paid by the consumer, in order to get the maximum return to the farmer. The farmer would get more and there would be a lower price to the public.

Mr. CARAWAY. Well, does that say now which side you are on?

Mr. MENKEN. Well, I lived on a farm as a boy, and I am a consumer of milk.

Mr. CARAWAY. Well, do you think the dairymen are right, or that the city is right in its contention? That is the question.

Mr. MENKEN. I think they are probably both wrong, because they start on a wrong economic basis.

Mr. CARAWAY. Now, that is a question of distribution and comes in every line of business.

Mr. MENKEN. And purchase.

Mr. CARAWAY. Would you have just one dry goods store, because evidently it could be more economically handled with just one overhead charge?

Mr. MENKEN. That is not true—because I have been in the dry goods business.

Mr. CARAWAY. You have conducted practically all lines of business, of course?

Mr. MENKEN. I spent six months in the dry goods business.

Mr. CARAWAY. You should know all about it.

Mr. MENKEN. Right across the river from you, Congressman, and I want to say this: It is the personal equation, the genius or the power of the dry goods man, which makes or breaks the dry goods business, and it is the service rendered as an individual to the consuming public that is the great value.

Mr. CARAWAY. Does that apply to the grocery?

Mr. MENKEN. I think so.

Mr. CARAWAY. No line of business should be taken over, then, and consilidated, except the milk business? Is that it?

Mr. MENKEN. No; I think the coal business ought to be consolidated. I think there would be great value in consolidating electric lines. Competition between two electric companies in one town is always wasteful. It should be subject to regulation.

Mr. CARAWAY. Well, now, that brings up another rather interesting dispute. You have got going on here now, the question of whether you will have an eight-cent fare. That is a traction problem on which every citizen should have an opinion.

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Mr. MENKEN. I have got an opinion on that subject.

Mr. CARAWAY. Who is right?

Mr. MENKEN. The fact about the matter is that with the pre rate of wages and the cost of supplying commodities used by traction companies in this country, they can not pay the actual of the labor and the commodities used in operating the street ways with the five cent fare.

Mr. CARAWAY. They should have eight?

Mr. MENKEN. I don't say eight. They should have a larger

Mr. CARAWAY. That brings me to the question I intended to you later on. As a representative of the power and light ut companies in many of the cities of the country, do you represent t in courts, or is it a question of finance?

Mr. MENKEN. We don't represent them locally at all.

Mr. CARAWAY. You simply look after the financial end of it?

Mr. MENKEN. The general overhead legal work.

Mr. CARAWAY. And reorganizations and consolidations, if they come necessary?

Mr. MANKEN. And disintegration.

Mr. CARAWAY. Yes. I hate to leave you without asking ano question about a very vital local matter. The harbors are tied u a strike and every citizen is vitally affected. Do you agree with strikers or with the owners?

Mr. MENKEN. You kept me too busy to follow that problem.

Mr. CARAWAY. Well, it is a problem that has been on, you know its formative period for quite a number of weeks. I am just se just how far the people ought to get awake to these local matters cause they certainly are not expected to surpass their leaders.

Mr. Menken, you are a member of the executive committee of National Security League?

Mr. MENKEN. I am, sir.

Mr. CARAWAY. And as such you take a vital interest in all o programs?

Mr. MENKEN. I do.

Mr. CARAWAY. In your bulletin of the 6th of December is the gram that the executive committee has recommended for after activities. You have read that?

Mr. MENKEN. I have.

Mr. CARAWAY. It embraces 16 topics, does it not?

Mr. MENKEN. Have you got one of those bulletins? I don't k the number of it.

Mr. CARAWAY. That is it. [Indicating paper.] I believe the p shows—whatever it is, it is published in the bulletin. Is that corr

Mr. MENKEN. I believe so.

Mr. CARAWAY. Now, you send out this bulletin to the member the league?

Mr. MENKEN. Yes.

Mr. CARAWAY. And on the activities of the league you appe the contributors and members for the funds that carry on its existence, do you not?

Mr. MENKEN. Generally that is true; yes, sir.

Mr. CARAWAY. It is a pledge of good faith?

Mr. MENKEN. It certainly is.

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Mr. CARAWAY. That the committee—the league—will carry out these things that it adopts in its progress, isn't it?

Mr. MENKEN. In a general way.

Mr. CARAWAY. That it will endeavor to do it.

Mr. MENKEN. Yes.

Mr. CARAWAY. It otherwise would be obtaining money under false pretenses, wouldn't it, Mr. Menken, to hold out a program and not try to live up to it?

Mr. MENKEN. Certainly.

Mr. CARAWAY. Now, you have a program here. I believe the first is urging a just and careful peace treaty. You obtained money under that statement of afterwar activities from people all over the country, didn't you?

Mr. MENKEN. No.

Mr. CARAWAY. Didn't they contribute under that?

Mr. MENKEN. Not yet. We hope they will.

Mr. CARAWAY. This was put out last year, and you have had some contributions last year?

Mr. MENKEN. Yes. Perhaps the answer ought to be yes.

Mr. CARAWAY. Now, has the league done anything toward redeeming that pledge to the contributors?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. What has it done?

Mr. MENKEN. It has published an immense amount of literature, presenting different views, as I understand it, on peace matters.

Mr. CARAWAY. Well, has that had anything to do with procuring a just and careful peace?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. You heard Col. Lydecker testify on this question?

Mr. MENKEN. I don't know that I did.

Mr. CARAWAY. Were you present and did you hear him say that you had not done anything and were not going to do anything under that?

Mr. MENKEN. I was only present two out of three times.

Mr. CARAWAY. Well, he is president of the league, isn't he?

Mr. MENKEN. Yes.

Mr. CARAWAY. If he said the league has not and does not intend to act in that matter, is he right or wrong about it?

Mr. MENKEN. Well, he perhaps said nothing has been done.

Mr. CARAWAY. Didn't he say that nothing would be done?

Mr. MENKEN. I don't think he would presume to control the executive committee.

Mr. CARAWAY. Well, now, what can you do under that, not having any seat at the peace council?

Mr. MENKEN. I think this: that President Wilson has proved himself responsible to the public demands and the public views.

Mr. CARAWAY. Have you communicated with him?

Mr. MENKEN. I don't know that they have, but he certainly has been responsive to public demands in many particulars, and if we saw a condition developing which we thought a menace to America, or working toward an unjust or unstable peace, we certainly would not hesitate for one moment to talk, and talk in a way that would be heard throughout the country.

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Mr. CARAWAY. I thought you said you had already commenced activities.

Mr. MENKEN. I said we had published a great many articles in connection with the war situation, that relate to that subject.

Mr. CARAWAY. Have you any of them?

Mr. MENKEN. Yes; we have had our maps on the Mid-Europa, and we have published——

Mr. CARAWAY (interposing). Bearing on this particular question?

Mr. MENKEN. Yes; all of our numerous contributions relate to public understanding of those questions and their solution. I am prepared to offer you some 45 pamphlets——

Mr. CARAWAY (interposing). When were they published?

Mr. MENKEN. All during the last three years—three and a half years.

Mr. CARAWAY. But this activity was to be an after-war activity, and the armistice was not signed until the 11th day of November, and your program was not sent out, certainly, until the 6th of December.

Mr. MENKEN. Well, you can rest assured that we would not be silent on that subject.

Mr. CARAWAY. The next was with reference to having the people respect justice and freedom and law and liberty. That was the program?

Mr. MENKEN. Yes.

Mr. CARAWAY. You are working under that program?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. What committee deals with it?

Mr. MENKEN. The flying squadron, the committee on patriotic education, the committee on constitution.

Mr. CARAWAY. Is the flying squadron a committee?

Mr. MENKEN. Yes; in the broad sense.

Mr. CARAWAY. I thought it was only speakers that you had. Didn't Col. Lydecker say there had been no committee appointed to deal with that question at all?

Mr. MENKEN. Not specially, but all the committees deal with that work very broadly.

Mr. CARAWAY. Coming down to No. 4, creating a just administration law regarding naturalization, have you done anything along that line?

Mr. MENKEN. I can't tell you about that.

Mr. CARAWAY. How could you do it? Don't the courts administer the law of naturalization?

Mr. MENKEN. They administer the law as to naturalization, but there are improvements possible in the law.

Mr. CARAWAY. Well, does "administer the naturalization law" mean the enactment of law, or merely to administer those already enacted?

Mr. MENKEN. It covers both questions.

Mr. CARAWAY. Is that so.

Mr. MENKEN. That is what is meant there, I am sure.

Mr. CARAWAY. Well, that is not what you said there, is it, Mr. Menken? You are a lawyer; and, if a man was to talk to you about administering law, would you understand that he referred to enacting laws or to administering those already enacted?

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Mr. MENKEN. Administering law in this country, under our jurisudence, means the development, the making of law and the admin:ration of law.

Mr. CARAWAY. What changes in the naturalization law do you lvocate?

Mr. MENKEN. Especially, I think, that any foreigner that don't ow a trend to become a part of the American body politic, to sepate himself permanently from his foreign alliance, should be put a position where he should have to show cause why he should not sent back to the country of origin.

Mr. CARAWAY. Don't you think he would be less harmful not a turalized citizen, than one that you have to compel to become a tizen, and thereby clothe him with the rights of exercising citinship?

Mr. MENKEN. In some of our States, I believe, they do vote without becoming citizens.

Mr. CARAWAY. That is true in eight States. But you have a great any here in New York that have never become citizens and that on't want to become citizens; you think that the city would be etter off by making them become citizens, and thereby adding them o the roll of the electorate of the city?

Mr. MENKEN. If they did not want to perform their citizenship luties, and were parasites on the community, I would put them out.

Mr. CARAWAY. Every man who comes and stays here, then, a certain length of time, and does not become an American citizen, you would deport?

Mr. MENKEN. I certainly would.

Mr. CARAWAY. How long would you permit him to stay?

Mr. MENKEN. I think about five years.

Mr. CARAWAY. Regardless of the conditions under which he came, at the end of five years he would have to become a citizen or leave?

Mr. MENKEN. As a general proposition: yes.

Mr. CARAWAY. Would you permit the immigration of people without any restraint?

Mr. MENKEN. I would not.

Mr. CARAWAY. What restraint would you place upon them?

Mr. MENKEN. I should have a physical and mental test of all immigrants. We can not afford to be the dumping ground of the world any longer.

Mr. CARAWAY. I certainly agree with you. Do you agree with Congress in having a literacy test?

Mr. MENKEN. No; I think there are lots of well-minded individuals who have not had the opportunity to learn how to read.

Mr. CARAWAY. You would have a commission of experts appointed to examine them before they were permitted to come and determine whether they were intelligent or not?

Mr. MENKEN. Well, if they had that sense of decency and stamina to make them a desirable part of the American body politic.

Mr. CARAWAY. What you would have as a standard by which they were to be measured?

Mr. MENKEN. Just I would have a [illegible] sound sense and good judgment such as we as native born people can adopt with charity and understanding of the [illegible]

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Mr. CARAWAY. That comes back, then, to the question of whether or not this democratic Government has been a success or a failure. In your judgment, I believe you confessed on one day that we had proven a failure?

Mr. MENKEN. I did not say so.

Mr. CARAWAY. And that we had——

Mr. MENKEN (interposing). I did not say so.

Mr. CARAWAY. Just wait—and that we had deterred by our example the development of democracy in Europe. Did you say that?

Mr. MENKEN. I did.

Mr. CARAWAY. Well, I thought so. What country's form of government do you most admire?

Mr. MENKEN. The government of the United States.

Mr. CARAWAY. Are we in advance of all other Governments?

Mr. MENKEN. We are in our charter of liberties; in our administration of the law, no.

Mr. CARAWAY. In our exercise of our charter of liberty are we in advance of other countries or are other countries in advance of us?

Mr. MENKEN. We are not, because we don't live up to our opportunities.

Mr. CARAWAY. What country do you most admire, then, in its exercise of democratic rights?

Mr. MENKEN. I think there are pages out of the book, out of the political life of England, France, and Germany which we could take with benefit—which we can study with great benefit to America.

Mr. CARAWAY. Tell us the pages from the political life of Germany that you would like to see incorporated in this country of ours.

Mr. MENKEN. The respect of the individual for the duty, the sense of service that they have there to the state, and the willingness to observe wise laws.

Mr. CARAWAY. I thought we had been arraigning that nation as absolutely devoid of any sense of obedience to law, and I thought you denounced them for their lack of respect for international law in your arraignment of them.

Mr. MENKEN. That is true, sir.

Mr. CARAWAY. Now, you say they should be a model for the American people to follow?

Mr. MENKEN. I did not say that at all.

Mr. CARAWAY. What did you man, then, by what you said?

Mr. MENKEN. I mean to say there is good in all nations, and there is as much good that we can take from England, France, and Germany, as there was before the war.

Mr. CARAWAY. And you speak of their high sence of duty. You think they have a higher sense of duty?

Mr. MENKEN. I did not say a higher; I said they had a high sense of duty.

Mr. CARAWAY. I thought by reason of the fact that we could follow to advantage, that that meant it was higher than ours. Isn't that what you intended to convey?

Mr. MENKEN. In some particulars the Germans had a very strong sense of duty that was very admirable, but they overdid it.

Mr. CARAWAY. They had too high a sense of duty.

Mr. MENKEN. Certainly. It made them blind to justice and decency.

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Mr. CARAWAY. Well, maybe we have just about reached the line here we ought to stop, if they have overstepped it. What do you say about that?

Mr. MENKEN. You are asking my individual opinion?

Mr. CARAWAY. Of course, because I take it that you represent about the opinion of the Security League.

Mr. MENKEN. I think this: That the charter of liberties and the constitution of the United States are such that every American citizen should recognize the fact that his first duty is to preserve and strengthen the working out of our constitution, and make our liberties more secure by helping to provide the wisest laws for the happiness of the people, and the proper administration of those laws when enacted, by the orderly observance of them.

Mr. CARAWAY. Now you are generalizing.

Mr. MENKEN. You can't help but generalize on your question.

Mr. CARAWAY. Let me ask you this question: A man to respect the constitution ought to read it and study it, ought he not?

Mr. MENKEN. He ought to know its provisions and its spirit.

Mr. CARAWAY. And yet many people don't do that, do they?

Mr. MENKEN. They do not.

Mr. CARAWAY. You have made a study of the Constitution?

Mr. MENKEN. I have studied the Constitution.

Mr. CARAWAY. Well, I don't want to be offensive in this matter. I believe you said yesterday that while you did not like to proclaim the fact, you had been a student of our theory of government practically all your life?

Mr. MENKEN. Yes.

Mr. CARAWAY. And that necessarily you studied the Constitution?

Mr. MENKEN. Certainly.

Mr. CARAWAY. And yet I believe you said the Senate sat in perpetual session?

Mr. MENKEN. They are presumed never to adjourn, as I understand it.

Mr. CARAWAY. Do you know that the Constitution makes that absolutely impossible?

Mr. MENKEN. There is a provision, but they are always supposed to be in session just the same.

Mr. REAVIS. Despite the Constitution?

Mr. MENKEN. I mean they are supposed to be——

Mr. CARAWAY (interposing. That is a remarkable statement from a man who has been a student of our form of government. Coming back, I want to ask you one thing more with reference to your friend Kahn. I believe he told you the President sent for him and leaned upon him in the question of passing some of these military measures?

Mr. MENKEN. Yes, sir.

Mr. CARAWAY. You are not mistaken about that?

Mr. MENKEN. I don't think I am.

Mr. CARAWAY. Did you know the President sent out a letter asking the constituents of Mr. Kahn to defeat him for reelection?

Mr. MENKEN. I did.

Mr. CARAWAY. The President then was certainly guilty of very great ingratitude, wasn't he, having leaned upon Mr. Kahn to the exclusion of all members of his own party, to then try to defeat him for reelection.

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Mr. MENKEN. If that is your contention I won't disagree w you.

Mr. CARAWAY. It is not my contention. I am asking you. I not even admitting your first statement.

Mr. MENKEN. Yes; I think it was the most startling thing I knew a public man to do.

Mr. CARAWAY. Once condemned he certainly should be conden by the Security League?

Mr. MENKEN. He was condemned by the people of the Un States in the vote for Congress.

Mr. Caraway. That is another thing you don't agree with President on? I just had to find that.

I believe that is all I have.

Mr. BROWNE. Mr. Menken, in May, 1916, did your league pre what was known as a "catechism" sent out——

Mr. MENKEN (interposing). On universal training?

Mr. BROWNE. No: I will just read you.

Mr. MENKEN (interposing). The answer is yes.

Mr. BROWNE (reading). "National Defense Catechism to Busy Man or Woman."

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Who prepared that?

Mr. MENKEN. My recollection is that it was prepared by on the members of the Philadelphia branch.

Mr. BROWNE. Which one?

Mr. MENKEN. Mr. Crowley, I think was the name.

Mr. BROWNE. What is his business?

Mr. MPNKEN. I don't know. I think he is a writer. That i impression I have.

Mr. BROWNE. Was that considered pretty thoroughly by the e tive committee before it was sent out?

Mr. MENKEN. Why, I think three or four of us who had cl of the details in connection with literature, went over it very fully.

Mr. BROWNE. You were one of those, were you?

Mr. MENKEN. I think I read it before it was published.

Mr. BROWNE. It begins Lesson 1, Lesson 2, and so forth, and on. Is that correct?

Mr. MENKEN. I believe so.

Mr. BROWNE. I notice one statement you make in there on 12, Lesson 4, which reads as follows:

> How are we off for aircraft?

Then the answer:

> We build thousands of aircraft for foreign armies and navies, but have a few perfect ones for ourselves.

That was May 15, 1916. Had we built thousands of aircraf other countries then?

Mr. MENKEN. I think that statement would have been more co if it had said we were building, instead of "have built."

Mr. BROWNE. Well, were we building thousands?

Mr. MENKEN. The Wright-Martin and the other big concerns contracts for large amounts of aircraft for foreign nations.

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Mr. BROWNE. What company had any contract with foreign countries for aircraft on May 15, 1916?

Mr. MENKEN. I couldn't tell you.

Mr. BROWNE. Had we shipped over any aircraft up to that time to any foreign nations?

Mr. MENKEN. I can't now testify with exactness on that.

Mr. BROWNE. Well, didn't you investigate an important matter like that before you sent out thousands of these catechisms all over the United States?

Mr. MENKEN. I know it was believed true or it would not have been published. I think that was understood to be correct at that time. I don't know whether it is true or not.

Mr. BROWNE. Well, are the other facts stated in there any more correct than these?

Mr. MENKEN. If you ask me what the other facts are I could tell you. I can't generalize.

Mr. BROWNE. Wasn't this important fact considered as much as all others before this contract was sent out?

Mr. MENKEN. I don't remember. We issued thousands of pieces of literature, and it is pretty hard to pick out one from all of them.

Mr. BROWNE. Did we send over any aircraft for foreign armies and navies in the year 1916 or the year 1917?

Mr. MENKEN. I have always been under the impression we had.

Mr. BROWNE. Thousands of them?

Mr. MENKEN. I can't tell you that.

Mr. BROWNE. Have you a list of the officers and executive committee of the National Security League?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. At the present time?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Just state it.

Mr. MENKEN. At the present time?

Mr. BROWNE. Yes. Just refresh your memory. Some of your literature probably would refresh your memory.

Mr. MENKEN (after consulting pamphlet). I don't know that I happen to have an up-to-date list with me.

Mr. BROWNE. I can give you a list right here [handing a paper to the witness].

Mr. MENKEN (after examining paper). Yes; that is right.

Mr. BROWNE. Look over that list and pick out any representative of labor in any of the offices who are on the executive committee of your National Security League organization.

Mr. MENKEN. I don't know as there is any member of the executive committee that can be classed as such specifically.

Mr. BROWNE. Then there isn't any, is there?

Mr. MENKEN. No.

Mr. BROWNE. Is there any representative acting as an officer upon your executive committee who represents the agricultural classes in the United States?

Mr. MENKEN. Yes.

Mr. BROWNE. Who is it?

Mr. MENKEN. Herbert Myrick.

Mr. BROWNE. Where is he from?

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Mr. MENKEN. Springfield, Mass. By the way, I will add Charles P. Neill for labor, if you don't mind. I will withdraw that answer.

Mr. BROWNE. Charles who?

Mr. MENKEN. Charles P. Neill, Commissioner of Labor.

Mr. BROWNE. Where is he from?

Mr. MENKEN. Well, he is at present a resident of Washington, D. C.

Mr. BROWNE. And Herbert Myrick is the representative of the agriculturists of the country, is he?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Where does he live?

Mr. MENKEN. In Springfield, Mass.

Mr. BROWNE. Any others?

Mr. MENKEN. None that I can name on the central body.

Mr. BROWNE. George Wharton Pepper is one of the vice presidents, is he?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. He lives in Philadelphia?

Mr. MENKEN. He does.

Mr. BROWNE. He is a lawyer?

Mr. MENKEN. He is.

Mr. BROWNE. Do you know whether he is a trustee of the Carnegie Institute?

Mr. MENKEN. I do not.

Mr. BROWNE. You are familiar with the publication Who's Who, aren't you?

Mr. MENKEN. I am.

Mr. BROWNE. And the biographies in Who's Who are written by the persons themselves, and are apt to state correctly facts about the person's business, aren't they?

Mr. MENKEN. In a general way; yes.

Mr. BROWNE. Well, aren't they in more than a general way?

Mr. MENKEN. Well, some people have a rather peculiar way of stating their own qualifications for Who's Who, but as a general proposition, yes.

Mr. BROWNE. Well, they are written by the party whose biography is given?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. In Who's Who, Mr. Pepper states that he is trustee of the Carnegie Institute. That is undoubtedly correct, isn't it?

Mr. MENKEN. I accept it as true. He is a leader in almost every big public movement in Philadelphia.

Mr. BROWNE. Franklin Remington, what office, if any, does he hold?

Mr. MENKEN. He was secretary. He retired because he was doing Government work and could not keep up with his duties.

Mr. BROWNE. When did he retire?

Mr. MENKEN. Two or three months ago.

Mr. BROWNE. Who was elected in his place?

Mr. MENKEN. Lawrence F. Abbott, the editor of the Outlook Magazine.

Mr. BROWNE. Frederick Remington lives——

Mr. MENKEN (interposing). Franklin Remington.

Mr. BROWNE. Franklin Remington lives in Oyster Bay, does he? Is that his residence?

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Mr. MENKEN. He has a summer residence there.

Mr. BROWNE. His office is at 233 Broadway?

Mr. MENKEN. Yes.

Mr. BROWNE. Now, in Who's Who it states that he is a contractor—construction work, waterworks, railroads, and so forth; director in the Great Western Electric Chemical Co., Waterproofing Co., Western Power Corporation, Foundation Co., Employers' Mutual Insurance Co.—president and director—Crucible Plate Graphite Co. (Inc.), director; Bush, Beach, and so forth, incorporated, director.

Mr. MENKEN. Is that a question?

Mr. BROWNE. I say, I am reading from Who's Who. That is the same Franklin Remington that was secretary?

Mr. MENKEN. Yes.

Mr. BROWNE. Do you know whether he was engaged in contracts with the Government during the time that he was secretary?

Mr. MENKEN. He was building ships about the time he became secretary. He was building ships on the Pacific coast for the Government.

Mr. BROWNE. And right up to the time that he ceased to be secretary?

Mr. MENKEN. He resigned because of that work.

Mr. BROWNE. Well, you say he resigned a few months ago?

Mr. MENKEN. Yes; he was only secretary for a very few months.

Mr. BROWNE. He is on the executive committee yet, isn't he?

Mr. MENKEN. I think not.

Mr. BROWNE. Well, when did he get off?

Mr. MENKEN. At the same time. He resigned from both offices, as I understand it. He never took any very active part in the league work. He attended a few meetings, that is all.

Mr. BROWNE. Wasn't he at your first meeting where you organized?

Mr. MENKEN. I don't think so.

Mr. BROWNE. What office, if any, does Edward H. Clark hold?

Mr. MENKEN. No office at present.

Mr. BROWNE. Well, what was his former office?

Mr. MENKEN. He was treasurer.

Mr. BROWNE. Is he still a member of the executive committee?

Mr. MENKEN. No.

Mr. BROWNE. When did he cease to be?

Mr. MENKEN. In June or July, 1918.

Mr. BROWNE. Do you know the work, The Directory of Directories of the City of New York?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. That is an accurate work, isn't it?

Mr. MENKEN. I think it strives to be.

Mr. BROWNE. The Directory of Directories, New York, 1917 to 1918, gives Edward H. Clark, 15 Broad Street, New York, and San Francisco, Cal.; president and director of the Babicora Co., San Francisco; Pacific Title & Trust Co., California, director; vice president and director of the Cerro de Pasco Copper Corporation; vice president and director of the Cerro de Pasco Mining Co.; vice president and director of the Cerro de Pasco Railway Co. Do you know whether or not those are Mexican corporations?

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Mr. MENKEN. I do not.

Mr. BROWNE. You never heard of them before?

Mr. MENKEN. I don't think I have.

Mr. BROWNE. Director of the Columbia Trust Co.; president and director of Homestake Mining Co.; president and director of the Morococha Mining Co. Do you know whether that mining company is a Mexican corporation?

Mr. MENKEN. I have no knowledge, sir.

Mr. BROWNE. Director of the National Surety Co.; director of the Palermo Land & Water Co., San Francisco; director of the Real Estate & Development Co., San Francisco; secretary and treasurer and director of the Rocky Mountain Realty Co. Do you know whether Mr. Clark was interested in any contracts with the Government during the time he was director and treasurer, or was one of the executive committee?

Mr. MENKEN. I never heard of his being interested in any of them.

Mr. BROWNE. You don't know whether any of these companies were affected or had war contracts?

Mr. MENKEN. No: I know he had 14 members of his family in the Army.

Mr. BROWNE. Well, I didn't ask you that, did I?

Mr. MENKEN. Well, he was interested in the performance of war contracts——

Mr. BROWNE. I didn't ask you that question. I will be obliged if you will not volunteer any.

What, if any, position did Herbert Barry hold?

Mr. MENKEN. He was secretary for the organization at the time he went into the Army.

Mr. BROWNE. What time is that?

Mr. MENKEN. I can't testify exactly. I think sometime around the spring of 1917, or perhaps the fall of 1917.

Mr. BROWNE. He is a lawyer, is he?

Mr. MENKEN. He is.

Mr. BROWNE. In New York City?

Mr. MENKEN. Yes.

Mr. BROWNE. At 59 Wall Street?

Mr. MENKEN. Yes.

Mr. BROWNE. Do you know whether he is a stockholder in any of the following corporations: Guaranty Trust Co.——

Mr. MENKEN (interposing). No: I do not.

Mr. BROWNE. I am reading from Who's Who here, his statement—stockholder in Guaranty Trust Co.; Knickerbocker Trust Co.; Manhattan Railroad Co.; Ocean Steamship Co., of Savannah?

Does Alexander J. Hemple appear as one of the executive committee?

Mr. MENKEN. Yes.

Mr. BROWNE. Of the National Security League? He is at 140 Broadway, New York, is he?

Mr. MENKEN. Yes.

Mr. BROWNE. Who's Who states that Mr. Hemple is chairman of the board of directors of the Guaranty Trust Co., 140 Broadway; Adams Express Co., member of the board of managers; American Surety Co., of New York, trustee; Appraisers' Corporattion; Audit

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Co., of New York; California Railway & Power Co.; Electric Bond & Share Co.; Fidelity & Casualty Co., of New York; Guaranty Safe Deposit Co.; Hudson & Manhattan Railroad Co.; Interborough Consolidated Corporation; Interborough Rapid Transit Co.; Mechanics' Trust Co., of New York; Missouri Pacific Railroad Co.; New York Coke Co.; Richmond Light & Railroad Co.; St. Louis, Iron Mountain & Southern Railway Co.; St. Louis, Southwestern Railway Co.; Securities Corporation General; Southern Cotton Oil Co.; United Gas & Electric Corporation; United Gas & Electric Engineering Corporation; United Railway Investment Co.; United States Safe Deposit Co.; Utah Securities Corporation; Vallier (Mont.) Land & Water Co.; Virginia-Carolina Chemical Co.: West Govia Bank & Trust Co. I am reading from the Directory of Directories, City of New York for 1917–1919. Do you know whether Mr. Hemple had any contracts or was interested in corporations that had contracts with the Government during the war?

Mr. MENKEN. I do not.

Mr. BROWNE. Well, were any of these companies that I have read you in which he was a director—would it indicate that he had?

Mr. MENKEN. It would not, to my mind; but I don't know anything about it.

Mr. BROWNE. Is he quite a heavy contributor—has he been to the National Security League?

Mr. MENKEN. No.

Mr. BROWNE. Has he contributed anything?

Mr. MENKEN. Yes; occasionally.

Mr. BROWNE. You remember what his contributions amount to?

Mr. MENKEN. No; I do not. But if you want my impression I should think $250 would about cover it.

Mr. BROWNE. What position, if any, does Franklin C. Brown occupy——

Mr. MENKEN (interposing). May I take the liberty, sir, of correcting you? Franklin Q. Brown.

Mr. BROWNE. I mean Franklin Q. Brown.

Mr. MENKEN. He is one of our directors and member of the executive committee.

Mr. BROWNE. And one of the moving spirits in the organization of the National Security League?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. And his address is 33 Pine Street, New York City?

Mr. MENKEN. Not now.

Mr. BROWNE. Where is his address now?

Mr. MENKEN. He is Mr. McAdoo's assistant in the conduct of the Federal railroads.

Mr. BROWNE. Well, has he changed his address here?

Mr. MENKEN. He is in Washington or Philadelphia most of the time.

Mr. BROWNE. But he has not changed his place of residence or address, has he?

Mr. MENKEN. I don't know about that.

Mr. BROWNE. Now, Franklin Q. Brown, from the Directory of Directories of the City of New York, 1917–1918, is director in the following companies: American Beet Sugar Co.; American Light &

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Traction Co.; Augusta-Aiken Railway & Electric Co., president and director; Augusta Southern Railroad Co., president and director: Columbia Railway, Gas & Electric Corporation, director; Columbia Trust Co.; Dobbs Ferry Bank, president and director; Electric Properties Corporation, director; J. G. White & Co. (Inc.), director; J. G. White Engineering Corporation: Lima Locomotive Works (Inc.): National Surety Co., chairman of the executive committee and director; Pere Marquette Railway Co.; Seaboard Air Line Railway. Do you know that he was director of all these companies?

Mr. MENKEN. I do not.

Mr. BROWNE. Well, he must be if the Directory of Directories, City of New York, states that?

Mr. MENKEN. That is probably true.

Mr. BROWNE. Has he been a heavy contributor to the National Security League?

Mr. MENKEN. He has been a substantial contributor—$500 or $1,000—perhaps $1,500.

Mr. BROWNE. Is he interested in the Niagara water power?

Mr. MENKEN. I have never heard of his being.

Mr. BROWNE. Are those corporations, any of them—do any of these corporations that he represents have contracts and business interests with the Government?

Mr. MENKEN. I don't know.

Mr. BROWNE. Are you acquainted with John G. Agar?

Mr. MENKEN. I am.

Mr. BROWNE. What, if any, position does he hold in the National Security League?

Mr. MENKEN. He is a member of the executive committee.

Mr. BROWNE. And one of the moving spirits in the league?

Mr. MENKEN. He is one of our early members—the very first.

Mr. BROWNE. Where does he reside in the city of New York?

Mr. MENKEN. He lives in Westchester County. He has a farm up there.

Mr. BROWNE. The Directory of Directories, City of New York, 1917–1918, states:

John G. Agar. Caster Electrolitic Co., vice president and director; Mutual Life Insurance Co., New York, trustee; Wawbeck Land Co., president and director.

Do you know whether he has any interest in any of the newspapers here in New York?

Mr. MENKEN. I never heard. You mean as a stockholder?

Mr. BROWNE. Yes. What, if any, provision does Robert Bacon hold in the National Security League?

Mr. MENKEN. He is a member of the executive committee.

Mr. BROWNE. I didn't catch that last answer.

Mr. MENKEN. He is a member of the executive committee.

Mr. BROWNE. Is he one of the moving spirits—was he—in organizing the National Security League?

Mr. MENKEN. No, sir.

Mr. BROWNE. Has he been active in it since it was organized?

Mr. MENKEN. At times, very.

Mr. BROWNE. Has he been a heavy contributor toward it?

Mr. MENKEN. Very.

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Mr. BROWNE. How much, according to your best recollection?
Mr. MENKEN. I think he gave about $15,000.
Mr. BROWNE. Do you know whether he is one of the directors of the United States Steel Corporation?
Mr. MENKEN. I think I have heard he was.
Mr. BROWNE. Well, the Directory of Directories, City of New York, 1917–1918, gives him as a director of the United States Steel Corporation, also trustee of the Bank for Savings, city of New York. Would he have any contracts with the United States Government, or the corporations he represented?
Mr. MENKEN. I should think not. He is not in business. He is in the Army.
Mr. BROWNE. I asked you whether the corporations in which he was director, the United States Steel Corporation, for instance, had any contracts with the Government?
Mr. MENKEN. I have heard they had.
Mr. BROWNE. You know they have, don't you—very important Government contracts?
Mr. MENKEN. I have read of them—heard of them.
Mr. BROWNE. Are you acquainted with Hayden B. Harris?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. What position, if any, does he hold in the National Security League?
Mr. MENKEN. He is a member of the executive committee.
Mr. BROWNE. Is he one of the active men that started the league?
Mr. MENKEN. He was active at a very early date.
Mr. BROWNE. Do you know any corporations that he is director of?
Mr. MENKEN. I know one he is representing.
Mr. BROWNE. Which one is that?
Mr. MENKEN. The United States. He represents the Federal Reserve Bank as its representative in Italy at the present time.
Mr. BROWNE. Do you know whether he is a director of the American-Russian Chamber of Commerce?
Mr. MENKEN. I think he is.
Mr. BROWNE. The Directory of Directories, City of New York, 1917–1918, gives him as director of the American-Russian Chamber of Commerce, and director of the Haitian American Corporation. Do you know what corporation that is?
Mr. MENKEN. I do not.
Mr. BROWNE. You don't know what it is engaged in?
Mr. MENKEN. No, sir.
Mr. BROWNE. Frederic R. Coudert—is he a member of the executive committee?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. And one of the moving spirits in organizing the National Security League?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. And active since the Security League was organized?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. I read from the Directory of Directories, City of New York, 1917–1918: Vice president and director, Chapultepec Land Improvement Co. Is that a Mexican corporation?
Mr. MENKEN. I don't know anything about it.

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Mr. BROWNE. Have you ever heard of it?

Mr. MENKEN. No.

Mr. BROWNE. Trustee of the Equitable Trust Co., of New York; director of the Federation of French Alliances in the United States; director of the Garden City Co.; trustee of the Lincoln Safe Deposit Co.; director of the National Surety Co. Do you know whether any of the corporations I have read have any contracts or relations with the United States, or have had during this war?

Mr. MENKEN. I don't know of any.

Mr. BROWNE. Has this gentleman been a heavy contributor to the National Security League?

Mr. BROWNE. Principally of his time; very little of his money.

Mr. BROWNE. Louis B. Stillwell, are you acquainted with him?

Mr. MENKEN. I am.

Mr. BROWNE. Does he reside in the city of New York?

Mr. MENKEN. I believe so.

Mr. BROWNE. Do you know any corporations he is interested in as director?

Mr. MENKEN. He is an engineer—I don't know as director; no. He is engineer for the street railway, the elevated system, as I understand it.

Mr. BROWNE. He is one of the executive committee of the National Security League?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. And he is president and director of the Skyline Hosiery Co., East Flat Rock, N. C.?

Mr. MENKEN. I don't know.

Mr. BROWNE. Is Charles D. Orth on the executive committee of the National Security League?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. What office, if any, does he hold?

Mr. MENKEN. Chairman of our congressional committee.

Mr. BROWNE. Are there any other chairmen of your congressional committee?

Mr. MENKEN. No.

Mr. BROWNE. Has there been?

Mr. MENKEN. No.

Mr. BROWNE. Is he one of the moving spirits of the National Security League?

Mr. MENKEN. No; he came into our work last—well, he was a member, I think, for many years, but never was active until last—I want to get my dates right—June or July of last year.

Mr. BROWNE. Has he been very active since that time?

Mr. MENKEN. Yes.

Mr. BROWNE. Was he present when the league was organized?

Mr. MENKEN. I don't think so—possibly. I couldn't swear.

Mr. BROWNE. He is a member of the firm of Hanson & Orth, 27 Cedar Street, New York?

Mr. MENKEN. I believe so.

Mr. BROWNE. Do you know whether Mr. Orth has been a lobbyist at Washington for the sisal interests?

Mr. MENKEN. I don't know anything about that.

Mr. BROWNE. The Directory of Directories, 1918, gives: Mr. Orth, director of the National Roslyn Oil—it says here "and Size Co." I

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don't know whether that is "sisal" or whether it means something else. He is also director of the Pennsylvania & Delaware Oil Co. Do you know whether Mr. Orth has any contracts or is interested in any corporations that have contracts with the Government?

Mr. MENKEN. I never heard of any.

Mr. BROWNE. Are you pretty well acquainted with Mr. Orth?

Mr. MENKEN. Quite so; yes.

Mr. BROWNE. How long have you known him?

Mr. MENKEN. About seven or eight months.

Mr. BROWNE. Are you acquainted with William H. Wiley?

Mr. MENKEN. I am.

Mr. BROWNE. Is he one of the executive committee of the National Security League?

Mr. MENKEN. Yes.

Mr. BROWNE. Do you know any corporations that he is interested in?

Mr. MENKEN. He was a publisher. He is an ex-Member of Congress, too.

Mr. BROWNE. Is that publishing company John Wiley & Son?

Mr. MENKEN. I believe so.

Mr. BROWNE. Who took the place of Edward Clark as treasurer?

Mr. MENKEN. Mr. Hemple.

Mr. BROWNE. How much did you say that Edward G. Clark contributed to the league?

Mr. MENKEN. Edward H. Clark.

Mr. BROWNE. Edward G., isn't it?

Mr. MENKEN. Edward H.

Mr. BROWNE. Is there an Edward G. Clark?

Mr. MENKEN. No, sir; not to my knowledge.

Mr. BROWNE. If there is any contribution here by an Edward Clark, it is probably him?

Mr. MENKEN. No, there was another Mr. Clark, one of the—in order that you do not get them mixed—a member of the family who own what is called the Clark estate, a lot of real estate on the west side.

Mr. BROWNE. He made a small contribution.

Mr. MENKEN. He made a small contribution, but that is not Edward H. Clark.

Mr. JOHNSON. Edward Severence Clark?

Mr. MENKEN. Edward Severence Clark is an entirely different one.

Mr. BROWNE. Is he in the Singer Building?

Mr. MENKEN. I don't know where his office is.

Mr. BROWNE. How much did Edward S. Clark contribute?

Mr. MENKEN. I think he gave over $5,000.

Mr. BROWNE. In your directors' meetings do a large number of directors attend?

Mr. MENKEN. Comparatively, yes; considering the different sections of the country, that they come from. The minutes will show they run from eight to fourteen to twenty-two or twenty-three.

Mr. BROWNE. How many of your directors make a quorum?

Mr. MENKEN. I think six.

Mr. BROWNE. Has Mr. Root or Mr. Parker ever met with your directors?

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Mr. MENKEN. Yes, sir.

Mr. BROWNE. How many times?

Mr. MENKEN. Really, I couldn't tell you. The minutes will show.

Mr. BROWNE. Well, do you remember of ever seeing them there more than once or twice?

Mr. MENKEN. I have seen Judge Parker there a number of times. Mr. Root has not been active with the league. You see he was only honorary president for about a year. He has been there once or twice. He gets a copy, though as to all——

Mr. BROWNE (interposing). I asked if he was present——

Mr. MENKEN (continuing). Of all the minutes and all the proceedings of each meeting taken down in detail.

Mr. BROWNE. I didn't ask that. You have as one of the rules of your league, your by-laws, in regard to your meetings, a rule that all resolutions that are introduced are referred to a committee on resolutions without reading or without debate, don't you?

Mr. MENKEN. We do not.

Mr. BROWNE. You don't have any such rule?

Mr. MENKEN. No.

Mr. BROWNE. In any of your meetings? You wouldn't consider that a very democratic proposition if you had such a rule, would you?

Mr. MENKEN. Let me correct that with a statement. At our great national conferences, where we would have two or three thousand delegates, there we had a special rule for the congress, the Security League Congress, and those matters were referred to a committee on resolutions at those congresses.

Mr. BROWNE. Well, you have certain rules, don't you, to govern your organization?

Mr. MENKEN. Yes.

Mr. BROWNE. I show you a book entitled "Proceedings of the Congress of Constructive Patriotism" [showing book to witness].

Mr. MENKEN. Yes.

Mr. BROWNE. On page 21 you give the rules here.

Mr. MENKEN. No.

Mr. BROWNE. Well, what does that mean? What does that say?

Mr. MENKEN. May I take a look at this?

Mr. BROWNE. I just asked you that question to identify it.

Mr. MENKEN. That was not a Security League meeting or Security League rules.

Mr. BROWNE. Is this publication got out by the Security League?

Mr. MENKEN. It is. It is not a meeting of the Security League, though, as such.

Mr. BROWNE. Well, who got out this volume that I just showed you, and you identified?

Mr. MENKEN. The Security League.

Mr. BROWNE. I read you from page 21:

The committee on plan and scope has formulated certain rules, which I am requested to announce as follows:

RULES.

The floor of the Congress of Constructive Patriotism is open only to those believing in preparedness through the creation of a Military and Naval Establishment capable of successfully defending this country, and to advocates of constructive patriotism, personal service, etc.

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2. A committee on resolutions shall be appointed, consisting of two members of each of the following committees designated by the committee on Congress.

3. All resolutions introduced in the congress shall be referred to the committee on resolutions without reading or debate.

Now, that is called in caucuses and places of that kind, gag rule, isn't it?

Mr. MENKEN. Do you want me to state the fact?

Mr. BROWNE. I asked you.

Mr. MENKEN. Do you want me to state the fact or answer questions that will be misleading?

Mr. BROWNE. I am asking you in regard to the rule, whether a rule like the one I read, rule 3, is not considered gag rule?

Mr. MENKEN. Not if you will let me state the fact.

Mr. BROWNE. I will come to that afterwards, but I simply want you to answer my question. It is susceptible of an answer.

Mr. MENKEN. The answer is no.

Mr. BROWNE. Under that rule, rule 3, any resolution that was introduced could be smothered by the committee on resolutions, couldn't it, without the congress hearing anything about it?

Mr. MENKEN. Congressman, I presume you want the facts here?

Mr. BROWNE. I ask you if that is not so.

Mr. MENKEN. But you are talking about something irrelevant—that don't relate to the conduct of the Security League as an organization.

Mr. BROWNE. Well, you need not answer it if you don't want to.

Mr. MENKEN. I would like an opportunity to state the fact.

Mr. BROWNE. Well, you wouldn't consider a rule of that kind a very wise rule in a body that wanted to be democratic, would you?

Mr. MENKEN. We had no such rule in connection with the conduct of the Security League.

Mr. BROWNE. Where these rules were adopted was at your meeting in Washington, wasn't it?

Mr. MENKEN. Those rules were adopted at a meeting of delegates representing all kinds of organizations, public bodies, and societies that met in Washington and at which the National Security League merely acted as a host, providing machinery for the meeting.

Mr. BROWNE. I didn't ask that. Who was chairman of that meeting?

Mr. MENKEN. There were so many of them I can't tell.

Mr. BROWNE. Wasn't Alton B. Parker?

Mr. MENKEN. He was chairman at some of the sessions.

Mr. BROWNE. Well, at this meeting where these rules were adopted?

Mr. MENKEN. I don't know. I think I was chairman of that meeting.

Mr. BROWNE. Well, whether you were chairman or Mr. Parker was chairman, the National Security League managed that meeting, didn't it?

Mr. MENKEN. They were the hosts, offering the facilities for the conduct of the meeting.

Mr. BROWNE. And that was your meeting held at the Willard Hotel, Washington, wasn't it?

Mr. MENKEN. We had several there.

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Mr. BROWNE. Well, was this same rule adopted at all your meetings?

Mr. MENKEN. No; at none of our meetings.

Mr. BROWNE. This meeting that I am reading from was held in Washington on January 25 and 27, 1917. Does that refresh your memory any?

Mr. MENKEN. Read the rest of it—Meeting of the Congress of Constructive Patriotism, I think it is.

Mr. BROWNE. Under the auspices of the National Security League?

Mr. MENKEN. Yes, sir; and those are resolutions adopted by it.

Mr. BROWNE. And the National Security League sent out this statement?

Mr. MENKEN. A committee appointed by them organized it.

Mr. BROWNE. And that rule that I gave you was adopted at that meeting?

Mr. MENKEN. At that national conference.

Mr. BROWNE. Yes; and you consider that a gag rule, don't you?

Mr. MENKEN. I do not. The floor was open at all times to everything.

Mr. BROWNE. Well, a person that had introduced a resolution there could not have had it read before going to the committee, and the committee could have simply smothered it without any debate, couldn't they?

Mr. MENKEN. That was not the machinery at all.

Mr. BROWNE. Well that was what the rule—if the rule had been enforced, it would imply that, wouldn't it?

Mr. MENKEN. If certain things had happened, which did not happen, the result you refer to might have developed.

Mr. BROWNE. Well, the purpose of the rule was so that you could stop debate and not have any discussion on the resolutions introduced, unless that committee wanted it. Wasn't that the purpose of it?

Mr. MENKEN. The purpose of the rule was this——

Mr. BROWNE (interposing). Well, you can answer my question yes or no, whether it was the purpose or not.

Mr. MENKEN. No.

Mr. BROWNE. Was your league, the National Security, interested in weeding out disloyal college professors in the different universities and colleges of the United States?

Mr. MENKEN. I think that at one time we interested ourselves in that to a certain degree.

Mr. BROWNE. Who was the committee upon that?

Mr. MENKEN. I don't remember.

Mr. BROWNE. You were president of the league at the time this was going on, weren't you?

Mr. MENKEN. Yes, sir; and I have answered you I don't remember.

Mr. BROWNE. Well, who would you think, from your best recollection of the different committees on the league, would have charge of it?

Mr. MENKEN. I haven't any recollection on the subject, sir. I would be very glad to refer to the minutes and have the information furnished you, if Mr. Webb will get it.

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Mr. BROWNE. What success did you have in weeding out the college professors that your league thought were disloyal in the United States?

Mr. MENKEN. I couldn't tell you about that. I don't recall. It was a minor matter. As I recollect, some communication, in the form of a letter, was sent to the faculties of the different colleges to consider the matter, and I think we left it to them to attend to.

Mr. BROWNE. Didn't the executive committee take up an important matter like that?

Mr. MENKEN. It was taken up by the executive committee before the letter was sent out, if I am correct in my understanding.

Mr. BROWNE. You were present, weren't you?

Mr. MENKEN. Oh, yes.

Mr. BROWNE. And you are quite familiar with the publication known as the National Security League Bulletin, that is gotten out by the league, aren't you?

Mr. MENKEN. I have read them all, I think.

Mr. BROWNE. I read from the June, 1918, bulletin, which says:

Disloyal college professors ousted by league's efforts.

That is the heading in large type.

The circularization by the league of the principal colleges and universities in the country on the question of disloyalty of members of their faculties revealed the fact that the taking up of this matter was timely and effective. The league has heard from practically every institution of learning in the United States, and very few seem to resent the idea that the league should question the loyalty of the members of their faculties, but the majority promised active cooperation in weeding out such members of their teaching force as are not enthusiastically supporting America's position in the war, and commended the league for its activity in this direction.

Now, do you remember of the extensive work that was going on, the activities in that direction of the league?

Mr. MENKEN. I can't tell you the details of it. I remember it was done.

Mr. BROWNE. Well, do you remember any college professors that were weeded out, as you state in this article?

Mr. MENKEN. I can't tell you now.

Mr. BROWNE. You state they were ousted by the league's efforts in this bulletin that you sent out.

Mr. MENKEN. Yes.

Mr. BROWNE. But you don't know any that were ousted?

Mr. MENKEN. I can't give you the details of that.

Mr. BROWNE. Can you give anything about it?

Mr. MENKEN. No; it was one of a hundred things that we were doing.

Mr. BROWNE. Well, it was a very important thing, wasn't it?

Mr. MENKEN. We were doing a great many very important things.

Mr. BROWNE. Who would naturally have charge of such an activity as that of the league?

Mr. MENKEN. I think possible that came under the education committee, but I can't tell you.

Mr. BROWNE. Would Dr. Robert McNutt McElroy be one of those on the committee, the head of that?

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Mr. MENKEN. Either he or Prof. Hart, or Prof. Van Tyne—one of those gentlemen probably could tell you very exactly.

Mr. BROWNE. They would have had charge of that activity of the league, would they?

Mr. MENKEN. I think it is possible. I am not saying positively.

Mr. BROWNE. If they did not, who would have?

Mr. MENKEN. I should have to refer you to the minutes of the executive committee. I don't know.

Mr. BROWNE. Well, I wish you to refresh your memory.

Mr. MENKEN. I am trying to. I am very proud of our achievements in that line of work.

Mr. BROWNE. And put that in, because that is certainly a very important matter, isn't it?

Mr. MENKEN. I will advise you next time, sir.

Mr. BROWNE. While we are on the matter of college professors, are you acquainted with Robert McNutt McElroy?

Mr. MENKEN. Yes.

Mr. BROWNE. How long have you known him?

Mr. MENKEN. A little over a year and a half.

Mr. BROWNE. Didn't you know him at the time the league was started?

Mr. MENKEN. No, sir.

Mr. BROWNE. He was one of the early members of the league, wasn't he?

Mr. MENKEN. I think he joined in one of our New Jersey branches at an early date, but he was not a member of the New York branch.

Mr. BROWNE. Who first gave you an introduction to Robert McNutt McElroy?

Mr. MENKEN. I don't know. I met him at the Chautauqua gathing of the National Security League a year ago last summer.

Mr. BROWNE. When did he first become active in the league?

Mr. MENKEN. Immediately thereafter.

Mr. BROWNE. You were president when he was employed by the league?

Mr. MENKEN. No; I think Mr. Bacon was president.

Mr. BROWNE. Mr. who?

Mr. MENKEN. Robert Bacon.

Mr. BROWNE. When were you first elected president?

Mr. MENKEN. In 1915—1914 and 1915—at the organization of the league.

Mr. BROWNE. And you didn't meet Robert McNutt McElroy for quite a long time after he had been employed by the league, then?

Mr. MENKEN. I met him before he was employed by the league.

Mr. BROWNE. Then I don't understand you.

Mr. MENKEN. To make it clear to you, I was president of the league during the period of a year.

Mr. BROWNE. From what time?

Mr. MENKEN. A little over a year, perhaps, from November or December, 1914, until January, 1916.

Mr. BROWNE. Then you went out?

Mr. MENKEN. Then I went out, keeping the position of chairman of the executive committee. Mr. Bacon took my place, and then I was reelected president when Mr. Bacon ran for the nomination for

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United States Senator. He felt it was improper that he should be a candidate for office and president of the league, and that was—he retired in something like August, 1917. It was immediately before that that I met Dr. McElroy.

Mr. BROWNE. You were on the executive committee all that time?

Mr. MENKEN. Yes, sir; and I was responsible for his association with the league, I think, more than any other person.

Mr. BROWNE. Where was Dr. Robert McNutt McElroy at the time he became a worker with the league under salary?

Mr. MENKEN. Dr. McElroy first came to the league and worked many months without salary.

Mr. BROWNE. I asked you where he was when he first entered?

Mr. MENKEN. He was in New York.

Mr. BROWNE. He came from Princeton, didn't he?

Mr. MENKEN. He was head of the department of history and politics, as I understood it, at Princeton.

Mr. BROWNE. Do you know what his salary was?

Mr. MENKEN. When?

Mr. BROWNE. At that time, at Princeton, when you picked him up?

Mr. MENKEN. I inquired as to his earning capacity before we took him.

Mr. BROWNE. I asked you what his salary was there at Princeton, if you know?

Mr. MENKEN. I think he got a salary for his work at Princeton, irrespective of other things, of $5,000—a fixed salary.

Mr. BROWNE. Who recommended him?

Mr. MENKEN. I did.

Mr. BROWNE. You recommended him to the league?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Who fixed his salary?

Mr. MENKEN. I recommended it to the executive committee.

Mr. BROWNE. $10,000 a year?

Mr. MENKEN. No, sir.

Mr. BROWNE. How much?

Mr. MENKEN. At first he had no salary.

Mr. BROWNE. I mean at the time when his salary was fixed, of course.

Mr. MENKEN. The arrangement was that he should get what he was making at Princeton, with due allowance for the extra cost of living in New York. That was the only arrangement that we made.

Mr. BROWNE. Well, I asked you who fixed his salary, and you said you did.

Mr. MENKEN. I did, yes; I had authority from the executive committee to take up and dispose of it.

Mr. BROWNE. You fixed it at $10,000 a year, didn't you?

Mr. MENKEN. Not at first.

Mr. BROWNE. Well, what did you fix it at at first?

Mr. MENKEN. I think it was fixed at $100 per week in the beginning.

Mr. BROWNE. $100 a week?

Mr. MENKEN. That is my recollection—and his expenses.

Mr. BROWNE. And his expenses. How much did that amount to—salary and expenses?

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Mr. MENKEN. I don't know. His expenses are a matter of record on the books of the league—perhaps, $25 a week.

Mr. BROWNE. When was his salary raised to $10,000?

Mr. MENKEN. I can't tell you the exact date. The books will show.

Mr. BROWNE. Did you take it up in executive committee?

Mr. MENKEN. No.

Mr. BROWNE. Who fixed—how did you take it up and fix it?

Mr. MENKEN. I had authority to fix the salary.

Mr. BROWNE. Who gave you that authority?

Mr. MENKEN. The executive committee.

Mr. BROWNE. Are there any minutes of that on your executive committee minutes?

Mr. MENKEN. I don't know.

Mr. BROWNE. Now, what were Prof. McElroy's duties?

Mr. MENKEN. He had charge of the preparation of literature, the arrangement of speakers, the development of plans, and educational work; and the general work of securing cooperation in support of our educational program.

Mr. BROWNE. Did he make speeches himself?

Mr. MENKEN. He traveled all over the country speaking night and day, sometimes three or four times a day.

Mr. BROWNE. Did Dr. McElroy go to Madison to speak?

Mr. MENKEN. Madison, Wis.?

Mr. BROWNE. The capital of the State of Wisconsin.

Mr. MENKEN. Yes.

Mr. BROWNE. At the University of Wisconsin?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. You were president at that time, were you not?

Mr. MENKEN. I was.

Mr. BROWNE. You remember, upon Dr. McElroy's return from Madison, of an interview appearing in the New York papers?

Mr. MENKEN. I remember an interview that appeared in one New York paper.

Mr. BROWNE. What paper was that?

Mr. MENKEN. I think it was the New York Tribune.

Mr. BROWNE. Do you remember that in that interview, among other things, Dr. McElroy said this:

> At the University of Wisconsin, where there are about 2,000 students, I spoke at a large audience of young men wearing the khaki uniform of the United States. I was telling them of America's real purposes and aims and ideals in this war. It seemed to me that from the outset the audience took strangely little interest in the things I was talking about, the cause for which I was pleading. For the most part, once they had learned that America and patriotism was my theme, they sat with folded arms, stared wearily up at the ceiling from time to time they would turn and look at each other and smile superciliously, sort of pityingly; there was a good deal of fidgeting and scuffling of feet. Several times, generally at the most strongly patriotic portions of my talk, sounds which bore every sign of being subdued hisses could be heard. Later it was offered to me in explanation that these were warnings to the noisy ones to be quiet, but they did not sound that way to me. When I began to quote from some of President Wilson's messages the rattle of snapping rifle triggers throughout the audience, the men being under military training have guns, sounded very much like an attempt to break up the speech. Finally I couldn't stand it any longer. I determined to find out whether it was my fault or whether it was the American point of view that these young men objected to, so I leaned forward and I deliberately insulted them.
>
> "Do you know what I think of you from your conduct to-night?" I said, "I think you are a bunch of damned traitors."

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Well, what do you think happened? A loud outcry of protest? A stampede to pull me down from the platform? A demand that I retract that effront to their university? No, sir; not any of those things. What happened was absolutely nothing, not a murmur, not a sound, except that toward the back of the room a few men snickered.

I was not only thunderstruck; I was appalled. If a speaker said that to a group of men at my university, Princeton, I should hate to have to answer for the consequences. But even then I thought I would test them a little further, give them another chance, as it were. So a little later I said: "I have often wondered what it would be like to speak before a Prussian audience. I think I know now." Still there was no protest, not a slightest sign of resentment.

Do you remember that interview appearing in the New York Tribune?

Mr. MENKEN. I remember that report of the interview.

Mr. BROWNE. Did Dr. McElroy ever deny that interview?

Mr. MENKEN. He denied certain details of the interview as published.

Mr. BROWNE. Did he ever publicly, in any public print, deny it?

Mr. MENKEN. Yes, sir; I think so.

Mr. BROWNE. In what paper did he deny it?

Mr. MENKEN. In the statement of fact which was sent out generally to the papers of the country, a copy of which I now hold in my hand.

Mr. BROWNE. Just let me see that. [Mr. Menken handed a paper to Mr. Browne.] Have you got another one of those?

Mr. MENKEN. I have not; no. I will give that to you after you get through examining me.

Mr. BROWNE. This statement that you show me is not a clipping from any newspaper, but it is a circular. Was that statement ever made in any newspaper?

Mr. MENKEN. Yes; we took great pains to publish it far and wide.

Mr. BROWNE. In what newspapers did you have it published?

Mr. MENKEN. I really couldn't tell you, but we took great pains to have it published far and wide, and I am sure the papers that published the original statement were fair enough to publish this.

Mr. BROWNE. What paper did you see it in?

Mr. MENKEN. I couldn't tell you that.

Mr. BROWNE. Was it in the New York Tribune?

Mr. MENKEN. I wouldn't want to say. I am on oath, and as a matter of particularity I can not testify, but I know the papers got it.

Mr. BROWNE. Did you ever see any communication from Dr. McElroy to the New York Tribune asking them to correct the statement he made?

Mr. MENKEN. No.

Mr. BROWNE. Now, just read that and show what corrections Mr. McElroy made.

Mr. MENKEN. No; I can not do that, sir. I went out to Wisconsin on this matter myself to investigate it and satisfy them out there. I went into it most thoroughly, but I can't tell you the corrections.

Mr. BROWNE. Well, you have got the article there, the correction that you claim is a correction. Just show how this article that I have just read, this interview, is corrected.

Mr. MENKEN. I can not show you that. I haven't got it corrected.

Mr. BROWNE. You have got what you claim purported to be Dr. McElroy's correction?

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Mr. MENKEN. I have a statement of the correspondence between the university, which set forth views on the subject, but I haven't got a corrected statement.

Mr. BROWNE. Did you ever see a correction of the substance of that article?

Mr. MENKEN. I don't think there was any desire to correct a great many of the statements therein contained, except in so far as set forth in the statement of fact prepared by Dr. McElroy.

Mr. BROWNE. You investigated the matter pretty thoroughly, didn't you, Mr. Menken, when you went to Madison, and before that time?

Mr. MENKEN. And very dispassionately.

Mr. BROWNE. Yes. At the request of the University of Wisconsin?

Mr. MENKEN. No; I did it on my own motion, I think. Perhaps it was on their request.

Mr. BROWNE. Didn't the University of Wisconsin request it?

Mr. MENKEN. Possibly.

Mr. BROWNE. Didn't President Van Hise request it?

Mr. MENKEN. I think he did.

Mr. BROWNE. Now, I read you from a statement prepared by Judge Bradley Winslow, chief justice of the Wisconsin Supreme Court, and Charles N. Van Hise, president of the university, and E. A. Birge, dean of the College of Letters and Science, in regard to the authenticity of the interview. They say:

> The fact that Prof. McElroy gave this interview has been confirmed by President Menken of the National Security League in the presence of the person who signed this report. He says, however, that Prof. McElroy did not give out the name of the institution of which he was speaking. Granting this to be true, it seems quite immaterial. The interview in question named the institution as the University of Wisconsin; and as Prof. McElroy has never publicly disavowed the interview, either in whole or in part, it has become his in its entirety by the simplest principles of ratification.

Now, isn't that a fact?

Mr. MENKEN. Yes—well, now—excuse me; isn't what a fact?

Mr. BROWNE. Just what I read you, as coming from Chief Justice Winslow and President Van Hise and Dean Birge?

Mr. MENKEN. I think that, in substance, is the fact.

Mr. BROWNE. Did you meet, while you were in Madison investigating this matter, Judge Winslow?

Mr. MENKEN. I did.

Mr. BROWNE. Did you meet President Van Hise?

Mr. MENKEN. I did.

Mr. BROWNE. Did you meet Mr. Brandenburg—O. D. Brandenburg—of the Madison Democrat, owner and publisher?

Mr. MENKEN. No, sir.

Mr. BROWNE. But they prepared a statement, all these men, didn't they, sent to you before you came there?

Mr. MENKEN. This name Brandenburg is new to me, sir.

Mr. BROWNE. Well, I will show you this. [Showing a paper to the witness.] Was that ever sent to you?

Mr. MENKEN. Yes.

Mr. BROWNE. The pamphlet I am reading from was sent to you. Now, I wish to read from O. D. Brandenburg, editor in chief of the Madison Democrat, which is in this statement I have shown you, a letter as follows:

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MADISON, WIS., *May 6, 1918.*

DR. CHARLES R. VAN HISE,
President of the University of Wisconsin, Madison, Wis.

DEAR DR. VAN HISE: At South Bend, Ind., a few days ago while away from home, I noticed your letter to President Hibben, of Princeton University, with reference to the published assertion of Prof. Robert McNutt McElroy that in his address in Madison, April 6, he had deliberately sought to insult his audience by saying:

"Do you know what I think of your conduct to-night? I think you're a bunch of damned traitors"; and it is also claimed that he referred to his auditors as "damned Prussians."

Your answer in effect that nothing of the sort occurred—at least, that nothing of the sort was audible—is strong and reasonably complete. Your language and your intimations are fully justified; but I wish to add my testimony to the effect that Dr. McElroy made neither of these statements. I sat within 20 feet of him and heard every word he uttered. There were no allusions, openly or in suppressed tones, to "damned traitors" or "damned Prussians," or a single reference of any nature calculated to be a reflection upon the loyalty of his audience.

Indeed, it is but just to Dr. McElroy to say that his speech was one of fine diction and his poise that of a complete gentleman. When this is said, I think all is said, and all would have been well but for this later astounding assertion by Dr. McElroy that he deliberately aimed to insult this audience. If he actually makes such a claim, I regret to say that he is guilty of falsification. I have been a reporter for more than 30 years, trained carefully to hear what public speakers may say, and I can not possibly be mistaken when I now declare that Dr. McElroy said nothing to insult his audience. He never called the people "damned Prussians" he never called them "damned traitors." Do you imagine, Dr. Van Hise, that reporters representing daily papers in Madison and Milwaukee, sitting at the very feet of Dr. McElroy, would have let escape any such sensational utterances? It is unbelievable. Had Dr. McElroy called the people before him "damned traitors" or "damned Prussians," these reporters instantly would have played that fact up into the "lead" of their reports; yet not one of them did so. These reporters were not deaf. They would have heard any such remarks had they been made by Dr. McElroy, and they would have given them the importance that the sensational character of the utterance justified. Dr. McElroy, I am bound to believe, either has not been correctly quoted or he is guilty of inexcusable misrepresentation—misrepresentation that discredits him as a gentleman, that discredits the university which harbors him as a member of its faculty.

I write to-day, Dr. Van Hise, merely to commend your condemnation of Dr. McElroy, your defense of the students and of the loyalty of our people.

I have the honor to be,
Sincerely,

O. D. BRANDENBURG.

You heard that, didn't you?

Mr. MENKEN. Yes. I knew he was mistaken.

Mr. BROWNE. Who was mistaken?

Mr. MENKEN. The writer of that letter. I had proof positive to that effect.

Mr. BROWNE. Now, we will just see. This statement that you volunteered there, do you mean that the statement that Prof. McElroy made the statement reported in the interview was not correct?

Mr. MENKEN. I mean to say this: That I went out to Wisconsin to test—I will answer the question directly—to test this out with the broadest sympathy to the university, and conduct a judicious inquiry, and I had absolute evidence showing that Dr. McElroy, in his interview, had not been guilty of a lie; that he told the truth, and that there was a good deal of misunderstanding about the situation, but that he was not guilty of a falsehood in giving the statement that he had given to the New York Tribune in the form he actually gave

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it, and I had evidence which was conclusive, which I am prepared to produce——

Mr. REAVIS (interposing). I want to ask you there, Mr. Menken, after your investigation have you satisfied yourself that Dr. McElroy in an address to the students of the University of Wisconsin referred to them as "damned traitors" from the platform? Now, that is a simple question. You may answer that.

Mr. MENKEN. I have satisfied myself that he said from the platform, "By God, I believe you are traitors."

Mr. REAVIS. That Dr. McElroy said that?

Mr. MENKEN. Yes, sir; and I have got testimony of members of the faculty of the University of Wisconsin that heard him say it.

Mr. BROWNE. Did he say that so that it was audible to his audience? That is the question I am asking you.

Mr. MENKEN. Dr. McElroy has had a peculiar method of talking. It was audible to a number of his audience. It was heard by his audience and Carl Russel Fish, before the university got quite so active on this thing, wrote a letter on April 9 reporting the circumstance.

Mr. BROWNE. Well, I am asking you—you haven't answered the question in regard to whether you found out to your satisfaction whether Dr. McElroy made the statement or in substance the statement reported to have been made by him to the reporters.

Mr. MENKEN. I was perfectly convinced he had, but I was also convinced of this, that the application of his remark, which he made, while understood by some, was not understood as personally directed at the audience by others. It is a complicated story. It is difficult to tell on cross-examination.

Mr. BROWNE. But it was meant, you think, to be just what the New York Tribune said?

Mr. MENKEN. He meant it to be such, but it was not so understood, in my opinion. I reported back very fully and fairly, I think, on the situation.

Mr. REAVIS. Now, Mr. Menken, I want to ask you one question. As a friend of Dr. McElroy I would prefer that he did not make the statement, and I want to find out just what your investigation disclosed to you; therefore, I will ask you this question: Did you satisfy yourself from a personal investigation that Dr. McElroy in an address to the young men of the University of Wisconsin, who were in the uniform of their country, used profanity and accused them of being traitors in a public address?

Mr. MENKEN. He did.

Mr. REAVIS. That is all I want to know.

Mr. BROWNE. Now, let me finish——

Mr. MENKEN (interposing). He used this language: "My God, I believe you are traitors."

Mr. BROWNE. Now, you made a statement to the Chicago Tribune didn't you, May 13, 1918?

Mr. MENKEN. Yes.

Mr. BROWNE. Was that a correct interview?

Mr. MENKEN. I would have to see it to say.

Mr. BROWNE. Well, haven't you ever seen it?

Mr. MENKEN. Oh, some time ago.

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Mr. BROWNE. Did you ever correct it?

Mr. MENKEN. If you will let me see it I will answer you.

Mr. BROWNE. Don't you know whether the Chicago Tribune ever misquoted you?

Mr. MENKEN. I really couldn't say. I have been quoted so often and misquoted so often that it is rather difficult.

Mr. BROWNE. Now, didn't you state in your interview in the Chicago Tribune, May 13, 1918, as follows:

The University of Wisconsin is officially cleared by the National Security League of any suspicion of disloyalty or lack of patriotic ardor. In addition, the league officially praises its unusually effective patriotic effort during the war and bears testimony to the excellent work done by its students, faculty, and alumni alike. This certificate of patriotic character was given yesterday to the Tribune by S. Stanwood Menken, of New York, president of the league, after Mr. Menken had taken a hurried journey from New York to Madison, Wis., for the sole purpose of investigating at first hand the recent McElroy incident.

Mr. Menken further said yesterday that a statement would undoubtedly be forthcoming in a day or two from Prof. McElroy himself denying the correctness of some of the statements attributed to him concerning the university and its students, the latter of whom he is reported to have denounced as "damned Prussians," and disloyal during a speech made in the stock pavilion of the university on April 6.

Prof. McElroy's ire was particularly aroused, according to Mr. Menken, when the audience showed restlessness during the reading of the war message of the President. Thereupon he said: "Any man who does not in all things subscribe fully to these sentiments expressed by President Wilson is a traitor, not only to his country, but to all humanity." This, said Mr. Menken, the audience took to mean a generalization, while Prof. McElroy, laboring under a great strain because of an arduous speaking campaign, and annoyed at the restlessness in the hall, intended it as a personal gibe at his hearers.

Because there was no resentment expressed, Prof. McElroy leaped at the conclusion that the university students had not sufficient courage to resent an imputation upon their loyalty, and so expressed himself in the East.

When the exact facts are explained, upon Mr. Menken's arrival in New York, he said he thought Prof. McElroy would issue a statement admitting his misconception of the attitude of the university students and regretting the episode in its entirety.

Did you give out that interview?

Mr. MENKEN. In substance, yes.

Mr. BROWNE. And that was a fact, wasn't it?

Mr. MENKEN. Yes.

Mr. BROWNE. Did your investigation disclose the fact that there were ladies as well as gentlemen at the meeting in the stock pavilion?

Mr. MENKEN. Yes.

Mr. BROWNE. There was a large audience at this meeting that Dr. McElroy addressed?

Mr. MENKEN. A considerable audience.

Mr. BROWNE. Senator Lenroot was on the platform, wasn't he?

Mr. MENKEN. Yes.

Mr. BROWNE. Did you ever interview him?

Mr. MENKEN. Yes.

Mr. BROWNE. You interviewed Judge Winslow?

Mr. MENKEN. Yes.

Mr. BROWNE. And you interviewed Dr. Van Hise?

Mr. MENKEN. Yes.

Mr. BROWNE. And Dr. Birge, Dean Birge?

Mr. MENKEN. President Birge now; yes.

Mr. BROWNE. And you gave out this interview?

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Mr. MENKEN. Yes, sir.

Mr. BROWNE. Now, in your official statement that you made to the university, do you remember stating as follows:

I went to Wisconsin because the executive committee of the National Security League wished me to carry Prof. McElroy's statement that he never gave forth any utterance reflecting directly or indirectly on either the loyalty of Wisconsin or the university.

You made that statement, did you?

Mr. MENKEN. I believe so; yes.

Mr. BROWNE. Did Dr. McElroy ever make any statement other than the one you have presented here?

Mr. MENKEN. He made a very full statement to the executive committee about the occurrence, and supported it by letters containing testimony of independent witnesses as to what occurred.

Mr. BROWNE. Well, the public statement that you have just showed me——

Mr. MENKEN. I don't——

Mr. BROWNE. I want to take that public statement. I want to put that in the record.

Mr. MENKEN. All right, sir [handing paper to Mr. Browne].

Mr. BROWNE. Now, do you remember in your statement as follows:

As to the McElroy incident, during his speech it is clear the students were cold and not interested in an address which, though of great academic merit, did not appeal to them. They showed their restlessness at an inopportune moment, when McElroy was reading from the President's message. He misinterpreted their action as that of disloyalty. It was most unfortunate, and when he is convinced of that fact I am sure he will be glad to say so.

Prof. McElroy is intense in his work, which is one of the broadest and most far-reaching ever undertaken in this country. He believes in its so thoroughly that it was hard for him to realize that freshmen and sophomores, rain soaked, could be showing fatigue and not irreverence for the words he quoted.

The University of Wisconsin never received any further apology from the National Security League, did they?

Mr. MENKEN. I think we sent them a letter stating the fact that we were convinced that they were not disloyal in any sense of the word, and that no imputation of that kind should have been attributed to them.

Mr. BROWNE. You did think that statement was an imputation, that he made?

Mr. MENKEN. Well, there were other troubles—the way the thing was handled by the university made the thing very difficult of treatment, you know.

Mr. BROWNE. Now, he is on the committee, Dr. McNutt McElroy, to weed out college professors, is he, that he claims are disloyal?

Mr. MENKEN. Yes—I don't know; I think so.

Mr. BROWNE. Soon after this episode that I have just referred to, Dr. McElroy's attack on the students or the university, a few months after that Dr. McElroy challenged your own statement that you made in regard to Mr. Hearst, didn't he?

Mr. MENKEN. Yes.

Mr. BROWNE. Because of your statements made in regard to his speech and everything, was there any coolness between you and Dr. McElroy at that time?

Mr. MCELROY. I can't say there was. I think Dr. McElroy is perfectly honest, although ill advised, perhaps, in whatever action he took.

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Mr. BROWNE. Now, I want to read you the statement that you made with regard to what you claimed to be McElroy's statement as to his interview, and I think you will agree with me that it don't contradict any statement that the New York Tribune made.

Mr. MENKEN. He couldn't contradict it, because it was a fact.

Mr. BROWNE. The statement of fact reads:

STATEMENT OF FACT—PROF. M'ELROY HAS ATTACKED NEITHER THE WEST, NOR THE STATE OF WISCONSIN, NOR ITS UNIVERSITY.

In view of the many false statements which have appeared in the press in various parts of the country, I wish to declare as publicly as may be:

First. That I have never attacked or challenged the loyalty of the West, or of any other large section of the United States. On the contrary, I have repeatedly referred to the fact that in a tour of 21 days, including many western cities, such as St. Louis, Kansas City, Topeka, St. Joseph, Denver, Laramie, Omaha, Des Moines, St. Paul, and Chicago, I found as great loyalty as I have found anywhere, North, South, or East.

Now, that don't contradict anything that is stated in that interview, does it, about the University of Wisconsin?

Mr. MENKEN. He couldn't contradict that interview without being guilty of a falsehood, because the facts set forth there were, to his intent, true.

Mr. BROWNE. Now, next.

Upon the basis of reports sent to me from time to time, I have mentioned a few specific counties, some East, others West, where pro-German views appear to prevail, but such statements have been specific, never general.

That don't make any contradiction, does it?

Mr. MENKEN. No.

Mr. BROWNE (reading):

Second. That the only remark authorized by me relative to the State of Wisconsin was that with which my address in Madison on April 6 opened, namely, that the loyalty of the State of Wisconsin had been definitely proved by the election of Senator Lenroot.

That don't make any contradiction, does it?

Mr. MENKEN. No.

Mr BROWNE (reading):

Third. That I have never attacked the loyalty of the University of Wisconsin, nor authorized the publication of any statement designed to reflect upon the patriotism of the university.

The statements which I made applied, not to the State of Wisconsin, not to the city of Madison, nor to the university, but to certain specific men in the audience who created a disturbance while I was reading the words of the President of the United States.

ROBERT MCNUTT MCELROY.

That is the contradiction that you have stated?

Mr. MENKEN. That accords at that time with the facts as I found them on investigation.

Mr. BROWNE. Well, wern't you surprised when you investigated those facts, that none of the Milwaukee reporters or the reporters from the daily papers in Madison, who sat a few feet in front of Prof. McElroy, recorded that in their write-ups?

Mr. MENKEN. Well, to answer your specific question, yes.

Mr. BROWNE. You were surprised, wern't you, that that was so?

Mr. MENKEN. Yes.

Mr. BROWNE. Reporters usually get what occurs, don't they?

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Mr. MENKEN. They certainly do.

Mr. BROWNE. Do you think that anyone tried to suppress anything in the press and have them not record in that particular instance anything that was said in that speech of Robert McNutt McElroy?

Mr. MENKEN. I don't know about that. I can't speak on things I don't know.

Mr. BROWNE. You can answer that yes or no.

Mr. MENKEN. I don't know about that; they might or might not.

Mr. BROWNE. Now, Judge Winslow, chief justice of the State of Wisconsin, was right on the platform, wasn't he, at the time?

Mr. MENKEN. He was in the rear of Dr. McElroy.

Mr. BROWNE. But was he not on the platform where Dr. McElroy was speaking?

Mr. MENKEN. Yes.

Mr. BROWNE. Prof. Charles R. Van Hise was on the platform, wasn't he?

Mr. MENKEN. Part of the time, I think.

Mr. BROWNE. Wasn't he all the time?

Mr. MENKEN. I don't remember.

Mr. BROWNE. And all three of those men—you would hate to doubt their veracity at all, wouldn't you?

Mr. MENKEN. I believe they meant to be truthful in their statements, as did Dr. McElroy.

Mr. BROWNE. All of them made the statement that Dr. McElroy never made any statement of that kind in any audible way so that the audience could possibly have heard him; that they could have heard him or the audience heard him.

Mr. MENKEN. I had conclusive proof that they were in error.

Mr. BROWNE. I didn't ask you whether they were in error; I asked whether they made any statement to you.

Mr. MENKEN. Yes.

Mr. BROWNE. And you heard the statement read by Mr. Brandenburg, of the Madison Democrat?

Mr. MENKEN. Yes.

Mr. BROWNE. In your interview in the Chicago Tribune of May 13, you say, referring to what Mr. McElroy said:

> Thereupon he said, "Any man who does not in all things subscribe fully to these sentiments expressed by President Wilson is a traitor not only to his country but to all humanity." This, said Mr. Menken, the audience took to mean a generalization, while Prof. McElroy, laboring under a great strain because of an arduous speaking campaign and annoyed at the restlessness in the hall, intended it as a personal gibe at his hearers.

Now you don't state anything in that interview about McElroy making the statements that he claims to have made, do you?

Mr. MENKEN. Well, I got the evidence to support his statement.

Mr. BROWNE. Well, you made this statement after you—on May 13, 1918, after you had investigated?

Mr. MENKEN. No; I had more evidence when I came back to New York, in the form of letters from people who had been there.

Mr. BROWNE. How long were you in Madison?

Mr. MENKEN. I arrived one afternoon late and left, I think, at midnight, or on a late train that evening.

Mr. BROWNE. You didn't think that the students that were restless at that meeting were disloyal, did you?

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Mr. MENKEN. I did not.

Mr. BROWNE. Dr. McElroy held a very protracted meeting, idn't he?

Mr. MENKEN. Well, the meeting was protracted. The audience as cold, and the meeting was drawn out. I don't think he talked o long, but the whole thing was long.

Mr. BROWNE. He read his speech, didn't he?

Mr. MENKEN. No; he never does.

Mr. BROWNE. Did he have notes and read most of it?

Mr. MENKEN. No; he had little slips in his hand. I have never eard him speak from notes.

Mr. BROWNE. Didn't he at that time?

Mr. MENKEN. I don't think so.

Mr. BROWNE. Didn't he read from his manuscript most of the time?

Mr. MENKEN. My conclusion was he did not. I heard that charge ade, that he read, but I don't think he did. Everybody was cold nd wet and tired.

Mr. BROWNE. You tried to investigate it?

Mr. MENKEN. Yes, I did. They were cold and wet and weary and ired, and he did not read.

Mr. BROWNE. And from your evidence you found out that a numer of them had to go to the hospital, didn't you, on account of colds hat they took at that time?

Mr. MENKEN. They had walked in the rain a long time and sat n the cold and wet, and they did go to the hospital. I was told a umber of them did go; yes.

(At this point the committee went into executive session for 10 ninutes.)

Mr. BROWNE. Are you acquainted with Prof. Van Tine?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. How long have you known him?

Mr. MENKEN. Oh, I imagine a year or a year and a half.

Mr. BROWNE. Is he a salaried officer, in any way, of the league?

Mr. MENKEN. No.

Mr. BROWNE. Who introduced Van Tine to you?

Mr. MENKEN. I can't recall; possibly Prof. Hart. I can't tell.

Mr. BROWNE. Do you know, also, Prof. Hobbs?

Mr. MENKEN. Very well..

Mr. BROWNE. How long have you known him?

Mr. MENKEN. About three years.

Mr. BROWNE. You think they are valuable men to the league, do you?

Mr. MENKEN. I think they are valuable men for the league and the country.

Mr. BROWNE. Despite the trouble at the University of Wisconsin, you also think that Robert McNutt McElroy is a valuable man to the league, do you?

Mr. MENKEN. I do.

Mr. BROWNE. You had been requested—you were requested by the authorities of the University of Wisconsin not to have Robert McNutt McElroy, or any of the league speakers, speak at the university again, weren't you?

Mr. MENKEN. Yes; but subsequently one of them did.

Mr. BROWNE. Well, I asked you whether you were asked that.

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Mr. MENKEN. Yes.

Mr. BROWNE. You were asked not to send any more speakers there, weren't you?

Mr. MENKEN. I think there was some such—the direct statement was made.

Mr. BROWNE. That was the action of the whole university faculty, wasn't it?

Mr. MENKEN. I presume so.

Mr. BROWNE. Did you ever read Prof. Van Tine's work—Claude H. Van Tine, isn't it?

Mr. MENKEN. Yes.

Mr. BROWNE. Did you ever read his work The Loyalist in the American Revolution?

Mr. MENKEN. I never did.

Mr. BROWNE. You knew he was the author of a work of that kind, didn't you?

Mr. MENKEN. I never heard he was.

Mr. BROWNE. That is a work devoted to the persecution of the Tories in the American Revolution, a recital of their persecution, isn't it, by the Colonists?

Mr. MENKEN. Not having read the book, I can't testify.

Mr. BROWNE. What credentials did Mr. Van Tine have before he became an active member of the league and spokesman for the league?

Mr. MENKEN. I think he joined our Michigan branch very early, spoke out there, and was recommended by Prof. Hobbs, whose recommendation would be conclusive on any matter.

Mr. BROWNE. Prof. Hobbs?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. You don't remember of reading The Loyalist in the American Revolution?

Mr. MENKEN. I have not read it.

Mr. BROWNE. You have heard of it, haven't you?

Mr. MENKEN. Yes; once or twice.

Mr. BROWNE. I would call your attention to it, as an active member of the league, and advise your looking that up.

Mr. MENKEN. I know one-third of our Americans were Loyalists at that time. I will read it with pleasure, sir.

Mr. BROWNE. I will read from the preface of this work: The Tory or Loyalist Party in the American Revolution, by Van Tine.

The formation of The Tory or Loyalist Party in the American Revolution its persecution by the Whigs during a long and fractional war, and the banishment or death of over 100,000 of these most conservative and respectable Americans is a tragedy but rarely paralleled in the history of the world. The consequences of their banishment are not so easily seen as were the results of the expulsion of the Moors from Spain, or the exile of the Huguenots from France. That there were penalties, and, perhaps, awards consequent upon their removal is a conclusion hardly to be denied. In the case of the Moors and of the Huguenots the loss to their abandoned fatherland was economic and tangible, but in the case of the Loyalists, the speculations of the historian are made more dangerous because the probable political and social results are of so much subtler a nature. We may only venture the suggestion that the youthful errors of the American Republic in the matter of finance, diplomacy, and inequalities might have been in part corrected by the presence of that conservative element which had either been driven into exile or, if permitted to remain, was long deprived of political and social influence because of an unremitting intolerance.

These men were peaceful, sober-minded citizens, who perhaps had more than half sympathy with the Whig movement thus far, but the thought of civil

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nult and even war had checked their noble rage and brought them to think things less metaphysical than political principles. The motives and combinations of motives, the characters and failures of characters, might be multiplied infinitely, for both good and evil motives actuated the Tories as well as the big partisans. Many Tories loved America with a sincerity not surpassed the most high-minded Whigs. Though posterity has not awarded them the me, it may wisely concede to them the character of the patriot.

Do you believe that the Tories in the Revolution were patriots?

Mr. MENKEN. I would not put it quite that way, but I think the lvanced student of history—I think Prof. Van Tine would not be one in his historical tenets among the advanced students of history this country.

Mr. BROWNE. You think he is a safe man to go around through the untry and educate the youth of the country, do you?

Mr. MENKEN. I know he is.

Mr. BROWNE. You seem to be a great admirer of Prof. Hobbs—illiam H. Hobbs—who is taking an active part for the National ecurity League.

Mr. MENKEN. I am.

Mr. BROWNE. Have you noticed, since President Wilson has gone n this very important mission to Europe, that he has been severely ssailed by Prof. Van Tine and Prof. Hobbs?

Mr. MENKEN. I had not noticed it; no.

Mr. BROWNE. You had not noticed it? I will read you a statement of Prof. William H. Hobbs, made a short time ago. I think was on Britannia Day, in Detroit:

Prof. Hobbs opened his attack with a reference to President Wilson's somewhat oriental trip to Europe to dominate the peace tables just at the time when he head of the State is needed at home. He declared that if we were going broad to dominate we should have a record of sacrifice, and that the original 00,000 casualties had been raised to 236,000 to make a better showing. Even ur one great feat of transportation of men was not accomplished by the dministration. Prof. Hobbs said, but by the French and British ships, which ransported 60 per cent of the American soldiers to Europe. It is inconceivable, e added, that the premiers had invited Wilson there, as they are opposed to is pro-German program.

Now, do you approve of those sentiments?

Mr. MENKEN. I would not agree with the method of expression f all of them.

Mr. BROWNE. Well, would you approve of the substance? Would our league approve of the substance?

Mr. MENKEN. I have never consulted with the league about it. It as never been a subject matter. We have taken the position in the eague that since the beginning of the war it was unpatriotic on our part to make any reflection either upon the Secretary of War, the Secretary of the Navy, or upon the President. Our duty was to help win the war, not to criticize those fighting for us.

Mr. BROWNE. Would you think that a man that made a statement like that was a safe man to be educating the youth of the country?

Mr. MENKEN. I think America needs men who are fearless of statement and clear of vision, and I think Prof. Hobbs——

Mr. BROWNE (interposing). We will all agree on that, but a man that makes a statement of that kind about the President of the United States——

Mr. MENKEN (interposing). If he believes it, he ought to make it.

Mr. BROWNE (continuing). On an important mission of this kind, after he has left the United States and you can't recall him, and he

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is representing us there, we all want him to do the best he can, and do you think anyone that will make a statement like that about the President of the United States is a safe man and a judically poised man enough to go about and help educate the youth of this country?

Mr. MENKEN. I think so.

Mr. BROWNE. At this particular time in the history of the world?

Mr. MENKEN. I think so.

Mr. BROWNE. The treaty of peace has not been signed as yet, has it?

Mr. MENKEN. No, sir.

Mr. BROWNE. The President of the United States is not only President but Commander in Chief of the Army and Navy, isn't he?

Mr. MENKEN. Yes.

Mr. BROWNE. And you think that a statement of that kind, made by one of your members, is justifiable, do you?

Mr. MENKEN. I object to censorship in any form.

Mr. BROWNE. Well, isn't it——

Mr. CARAWAY (interposing). Will you pardon me just one minute? You were opposed, then, to all espionage acts?

Mr. MENKEN. No; but I was opposed to much of the censorship act.

Mr. CARAWAY. Then you were opposed to the espionage act?

Mr. MENKEN. It is part of the act.

Mr. CARAWAY. It is the only act on the subject. Are you opposed to it?

Mr. MENKEN. I think the suppression of opinion——

Mr. CARAWAY (interposing). Just answer yes or no. Are you opposed to those acts?

Mr. MENKEN. As enforced; yes.

Mr. CARAWAY. Well, didn't you criticize Congress for delaying, about day before yesterday, their passage?

Mr. MENKEN. Not the question of throttling the press.

Mr. CARAWAY. Didn't you mention specifically the espionage acts?

Mr. MENKEN. I may have.

Mr. BROWNE. You stated yesterday that it was the policy of the league to refrain from criticizing the President during the war.

Mr. MENKEN. Yes.

Mr. BROWNE. Well, did you take official action upon that?

Mr. MENKEN. It was not necessary.

Mr. BROWNE. Now, when did you let down the bars and welcome criticism?

Mr. MENKEN. We never have.

Mr. BROWNE. Well, your members are still criticizing the President, aren't they?

Mr. MENKEN. As other citizens may, if they see proper.

Mr. BROWNE. So you deviated from the course you started in upon?

Mr. MENKEN. No; we have not. We don't throttle a man because he joins a league of 100,000 members. We let him do what he wants to.

Mr. SAUNDERS. Mr. Menken, I would like to ask you one question.

Mr. MENKEN. I would like to answer.

Mr. SAUNDERS. I notice that while you had very severe criticism for most of your city members, you spoke very highly of Mr. Fitzgerald.

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Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. The idea being, I suppose, that if we had in Congress more men of that type Congress would have more vision and be better equipped to deal with the problems that we have?

Mr. MENKEN. Well, no; my reference was to—it was based upon my knowledge of the intense work and fidelity of purpose of Mr. Fitzgerald, although I differed with him frequently on various matters.

Mr. SAUNDERS. But still you have an idea that having men of that type in Congress, our work would be better?

Mr. MENKEN. You have a great many of that type in Congress.

Mr. SAUNDERS. You didn't have an idea of them, in what you spoke so highly of Mr. Fitzgerald about, of intimating that if our body was more largely provided—and your delegation was more largely provided—with men of that type, that Congress would have a better vision? Just limit it to your city delegation.

Mr. MENKEN. I think we needed more men like Mr. Fitzgerald. We needed a variegated delegation, but Mr. Fitzgerald was an extremely valuable man to the country.

Mr. SAUNDERS. And if you had more men of that type our work would have been better done?

Mr. MENKEN. If you can get more men like that from any place, the work would be very much expedited.

Mr. SAUNDERS. And very much better done? Are you aware, Mr. Menken, in spite of what you say so highly complimentary of Mr. Fitzgerald, that of all your city Members, according to your chart, he has the worst record?

Mr. MENKEN. I know that.

Mr. SAUNDERS. Then it would seen that the subcaliber men have more vision than your supermen?

Mr. MENKEN. I don't know that you can generalize. I can't.

Mr. SAUNDER. We have discussed this matter of vision. Isn't it a matter of fact that in your city delegation, leaving out Mr. London, that all of your subcaliber men have voted according to the league's notions? They have had vision then?

Mr. MENKEN. The city delegation of New York supported preparedness throughout.

Mr. SAUNDERS. Except Mr. Fitzgerald.

Mr. MENKEN. Yes.

Mr. SAUNDERS. So your subcaliber man had vision, and your approach to the superman, Mr. Fitzgerald, had, according to your record, made a very poor showing.

Mr. MENKEN. I don't think the logic works that way. It is a matter of argument.

Mr. SAUNDERS. Well, let us look now. This chart was sent out to advise the public with respect to preparedness, and therefore with respect to those men who had vision.

Now, here is Mr. Fitzgerald. I notice that on these matters of vision he voted four times wrong.

Mr. MENKEN. Yes.

Mr. SAUNDERS. And your subcaliber men all voted right. The argument then would rather seem to be that when it comes to vision it takes a subcaliber man to have it. Isn't that it, according to your chart?

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Mr. MENKEN. Well, if you judge it strictly by it.

Mr. SANDERS. By the chart?

Mr. MENKEN. By the chart, of course, you get inconsistencies.

Mr. BROWNE. You stated, I believe, yesterday that you did not prepare this chart or have anything to do with it?

Mr. MENKEN. No.

Mr. BROWNE. Who did?

Mr. MENKEN. The committee working with Mr. Orth.

Mr. BROWNE. Who were that committee? Who composed the committee?

Mr. MENKEN. I think Mr. Orth, Mr. Lloyd Taylor, and Mr. West. That is my recollection.

Mr. BROWNE. Mr. Orth, Mr. Taylor, and Mr. West. Was it ever brought before the executive committee?

Mr. MENKEN. I don't know. There were a few meetings that I was absent. I know the discussion was brought up afterwards.

Mr. BROWNE. Were each of the eight propositions, the acid tests, were each of those taken up and discussed by your executive committee?

Mr. MENKEN. I don't think so. As I tell you, I can't state positively on that.

Mr. BROWNE. You appointed a subcommittee of three to look after that, did you?

Mr. MENKEN. Yes.

Mr. BROWNE. And you never ratified their action by meeting the executive committee, that you know of?

Mr. MENKEN. The matter first came up——

Mr. BROWNE. I asked whether you ever ratified the action of this committee of three in regard to making this chart, that you know of!

Mr. MENKEN. After it was published, the act was ratified.

Mr. BROWNE. It had all gone out.

Mr. MENKEN. Yes. Before the Senate chart went out.

Mr. BROWNE. Now, Ridley Watts, he furnished the "boiler-plate" material, did he?

Mr. MENKEN. He furnished the subscription which was used that way.

Mr. BROWNE. And that was used in the congressional campaign, wasn't it?

Mr. MENKEN. No; I don't think so particularly. Perhaps in part; but I don't think so. You mean his subscription?

Mr. BROWNE. No; this boiler plate.

Mr. MENKEN. There may have been in the boiler plate some reference to the congressional campaign. I don't know.

Mr. BROWNE. Wasn't this sent all over the United States, these statements that have been read here in regard to the loyalty of Congress on these eight tests?

Mr. MENKEN. Yes; I think so.

Mr. BROWNE. How much did that boiler plate come to?

Mr. MENKEN. My recollection was that we spent $15,000 or $20,000 on boiler plate over a period of a year.

Mr. BROWNE. You had 1,400 papers, didn't you, to send it to—newspapers?

Mr. MENKEN. No; we did not have that many. A thousand, I think, was the most that got the boiler plate.

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Mr. BROWNE. Joseph T. Cashman, is he a member of the league?
Mr. MENKEN. Yes.
Mr. BROWNE. He is one of the field secretaries, isn't he?
Mr. MENKEN. He was; yes, sir.
Mr. BROWNE. And he was one of the secretaries in the Middle West, wasn't he?
Mr. MENKEN. Yes.
Mr. BROWNE. And did he ever make a report on his campaign through the Middle West?
Mr. MENKEN. I think so.
Mr. BROWNE. He was on the congressional campaign, wasn't he?
Mr. MENKEN. I don't think so. He was what is known as field secretary, going around through the country checking up the work of the branches, and speaking in different places.
Mr. BROWNE. Didn't he participate in the congressional campaign as much as the league did?
Mr. MENKEN. No. I don't think he did.
Mr. BROWNE. Who did? Who prepared the material and circulated it for the league, in the congressional campaign?
Mr. MENKEN. Why, I understand that those plates were sent out by our publicity director, Mr. E. L. Harvey, under the direction of the committee on congressional work.
Mr. BROWNE. Who is Mr. Harvey?
Mr. MENKEN. Mr. Harvey is the publicity director of the league.
Mr. BROWNE. He lives in New York here?
Mr. MENKEN. He does.
Mr. BROWNE. What was his business before he got that?
Mr. MENKEN. He was a reporter, I believe, on the New York Times.
Mr. BROWNE. You pay him a salary of how much?
Mr. MENKEN. I think $70 or $80 a week. I forget—I know it is not enough.
Mr. BROWNE. He has charge of what goes out in your congressional campaign, does he?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. Without submitting it to the league?
Mr. MENKEN. No. He has to submit it to the executive committee—to the executive secretary, and it goes to the president of the league. If it is educational work it probably goes to the educational director, or if it relates to the work of any committeeman, it goes to the committee. It is very carefully checked up after being carefully written.
Can I offer one letter—three letters in this Wisconsin matter, Mr. Congressman?
Mr. SAUNDERS. Yes; you can offer that.
Mr. MENKEN. I want to offer a letter from Theodore Roosevelt to Dr. McElroy, under date of June 1, 1918, reading as follows——
Mr. BROWNE (interposing). Well, you can put them in. I want to put in this circular here. If we are going to take any more time, I want to take it.
Mr. MENKEN. This is only a few lines.
Mr. LYDECKER. May I say just a word? This is to the committee. I was told by the chairman a minute ago that you would adjourn

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until Monday at 10 o'clock. Subpœnaes have been served for Tuesday. I have sent over to get tickets, and I understand that it is to Tuesday. Is it Monday or Tuesday?

Mr. SAUNDERS. The witnesses are to be present on Tuesday. The formal adjournment of the committee, so far as the committee members are concerned, is to Monday.

Mr. LYDECKER. You don't desire any attendance from us on Monday?

Mr. SAUNDERS. No.

Mr. MENKEN (reading):

JUNE 1, 1918.

MY DEAR MR. MCELROY: Many thanks for your letter. I laid all possible emphasis, while in Wisconsin, upon the need of considering the incident entirely closed and not making any further reference to it. I think that is the way it will be treated.

I hope to see you again. I shall try to see Mrs. Preston at the earliest possible moment.

Faithfully, yours,

THEODORE ROOSEVELT.

P. S. Good luck to you always, dear sir. I wish we had more Americans as fearless and as staunchly patriotic and as wholly disinterested as you have shown yourself to be.

Mr. BROWNE. You consider that relevant to the issue in regard to Dr. McElroy's veracity in his statement that he made to the Tribune?

Mr. MENKEN. I offer a letter of Prof. Fish, of the University of Wisconsin——

Mr. BROWNE (interposing). I asked you whether you considered that relevant.

Mr. MENKEN. I do.

Mr. BROWNE. Was President Roosevelt there at all?

Mr. MENKEN. Yes, sir; he went out to represent the league, to speak at the University of Wisconsin after the incident you refer to.

Mr. BROWNE. Well, he didn't make an investigation of these facts, you know?

Mr. MENKEN. I think he went into the thing most thoroughly.

Mr. BROWNE. President Roosevelt?

Mr. MENKEN. Yes; he was fully advised as to the circumstances.

Mr. BROWNE. I will state that I did not bring this up. It goes to the credibility and whether Dr. McElroy is a fit man to go around and instruct the youth of this country.

Mr. MENKEN. And I offer the testimony of Mr. Roosevelt in support of the contention of the league that he is.

(The circular offered by Mr. Browne follows:)

REPORT UPON THE STATEMENTS OF PROF. ROBERT MCNUTT MCELROY AND THE EXECUTIVE COMMITTEE OF THE NATIONAL SECURITY LEAGUE RELATING TO THE UNIVERSITY OF WISCONSIN.

[By John Bradley Winslow, chief Justice Wisconsin Supreme Court; Charles R Van Hise, president of the university; and E. A. Birge, dean of the college of letters and science.]

INTRODUCTION.

In an interview printed by the New York Tribune of April 17, 1918, Dr. Robert McNutt McElroy says he decided deliberately to insult the students of the University of Wisconsin in the course of an address which he delivered at Madison on April 6 as a representative of the National Security League. The facts show that he executed this intention in such a way that the audience was equally

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ignorant of his words and of his intention until from a safe distance he publicly boasted of them and of the courage which he displayed in the performance. His boast, as issued through the press, includes a claim that he called the cadet regiment "a bunch of damned traitors" and charged its members with disloyalty; that the regiment accepted his offensive language in silence; and he contrasted their passive submission to his gross and intentional insults with the response which students of another university would have made to such treatment; whereas the members of the regiment did not submit in silence, because they did not hear the intended insults.

The faculty of the university made prompt protest to the National Security League regarding these claims of its agent. After long delay a reply was received from the president and executive committee on May 31. In this they indorse Dr. McElroy's statements "without qualification" as "absolutely exact." They thus assume official responsibility for his statements in the eastern press, against which the university protested. In dealing with specific matters the reply employs language which is ambiguous and so worded as to avoid the issues raised by the university, and to lead the public into believing that they have been met.

The University of Wisconsin waited long and in full confidence for the reply of the executive committee of the league. It seemed incredible that the officers of an organization of its standing would pass without rebuke the public bragging of its representative that the had offered gross insults to an audience, even though this boast was not true. It seemed impossible that such a responsible organization would indorse as "absolutely exact" statements whose falseness had been shown by overwhelming proof.

But both of these things have happened. The University of Wisconsin is therefore compelled to issue the following statement of the facts and of its position. Only by such action can the members of the National Security League become aware of the conduct of its officers. Only by such action can the friends of the University of Wisconsin be placed in a position to meet the calumnies of Dr. McElroy.

I. The Facts in the Case.

1. At the agricultural pavilion of the University of Wisconsin on April 6, 1918, Prof. Robert McNutt McElroy, representing the National Security League, addressed an audience which included the cadet regiment of the University of Wisconsin. The address was a long one. The students, before the meeting, had marched 2½ miles in the rain; and they were wet and cold throughout the prolonged address. During the latter part of it many of the students became inattentive and noisy. They desired that Prof. McElroy should close his speech, and they indicated this in a manner which students not infrequently use. Being present under orders, they could not withdraw, as did the larger part of the remainder of the audience. Neither the students as a whole, nor any group of them, did anything which could properly be interpreted as indicating a lack of loyalty. They gave close attention and warm response to the patriotic addresses of Miss Burke and Senator Lenroot, the first of whom spoke before Dr. McElroy and the second after him.

2. Prof. McElroy became irritated by the noise and inattention and uttered ejaculations reflecting in profane terms on the loyalty of his audience, then almost reduced to the university cadet corps. He uttered them in so low a voice that there is wide difference of opinion regarding his exact words, even among those who sat near him on the stage. Many persons sitting within twenty feet of him upon the stage did not hear the words at all; and, so far as can be ascertained, no student heard them. According to the evidence presented, when Prof. McElroy took his seat at the close of his address he made a second objectionable remark to Miss Burke. (See Exhibit D.)

3. After his return to New York, Dr. McElroy gave an account of his western trip, which was issued officially by the National Security League on April 15; and in it he states that he had faced "large bodies of young men clad in the uniform of the American Army beneath which were concealed the souls of Prussians." (See Exhibit A.) He brought out the full meaning of this statement in an interview printed in the New York Tribune of April 17. This interview, after mentioning the noisiness of the students, represents Dr. McElroy as saying:

"Finally I couldn't stand it any longer. I determined to find out whether it was my fault or whether it was the American point of view that these young men objected to. So I leaned forward and deliberately insulted them.

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"'Do you know what I think of you from your conduct to-night?' I said. 'I think you're a bunch of damned traitors!' Well, what do you think happened? A loud outcry of protest? A stampede to pull me down on the platform? A demand that I retract that affront to their university? No, sir; not any of those things. What happened was absolutely nothing—not a murmur, not a sound, except that toward the back of the room a few men snickered.

"I was not only thunderstruck; I was appalled. If a speaker said that to a group of men at my university, Princeton, I should hate to have to answer for the consequences. But even then I thought I'd test them a little further—give them another chance, as it were. So a little later I said: 'I've often wondered what it would be like to speak before a Prussian audience. I think I know now.' Still there was no protest—no slightest sign of resentment.

"I hesitate * * * to accuse an entire university of disloyalty, and many people have since tried to reassure me as to Wisconsin. * * * I say that a thing like that should be investigated." (See Exhibit B.)

The fact that Prof. McElroy gave this interview has been confirmed by President Menken of the National Security League in the presence of the three persons who sign this report. He says, however, that Prof. McElroy did not give out the name of the institution of which he was speaking. Granting this to be true, it seems quite immaterial. The interview in question named the institution as the University of Wisconsin; and as Prof. McElroy has never publicly disavowed the interview either in whole or in part, it has become his in its entirety by the simplest principles of ratification.

The complaint of the University of Wisconsin against Dr. McElroy was and is based on these published statements, and not upon his half-audible words uttered in the heat of irritation. (See Exhibit B.)

4. After Dr. McElroy's interview of April 17 reached Madison the faculty of the university adopted, April 24, a resolution asking from the National Security League "reparation, full, explicit, and emphatic" for the acts of its agent. (See Exhibit C.)

5. On May 11 President Menken of the National Security League visited Madison and conferred with the three men who prepared this report. He was put into possession of the facts. During his return journey Mr. Menken issued, on behalf of the league, an official statement, which was published in the Chicago Tribune of May 13. The statement contains the following reference to the events at the agricultural pavilion: "They [the students] showed their restlessness at an inopportune moment, when McElroy was reading from the President's message. He misinterpreted their action as that of disloyalty. It was most unfortunate, and when he is convinced of that fact I am sure he will be glad to say so." (See Exhibit E.)

6. For some time, however, the university received no direct statement from President Menken, although telegrams were sent him regarding the matter. On May 31 the following printed document was received from President Menken, mailed in New York on May 28, 11 days after the date of its adoption:

"Resolution adopted by the executive committee of the National Security League at a meeting held on Friday, May 17, 1918.

"At a meeting of the executive committee of the National Security League, held on Friday, May 17, 1918, Mr. Menken reported on his trip to Madison, Wis. He stated that it was his belief after his investigation that without qualifications every statement made by Prof. McElroy was absolutely exact; that Prof. McElroy had made no reflection upon the loyalty of either the university or the State of Wisconsin, and that the attack of the university, made without investigation of the facts, was unwarranted.

"He further stated that he found that the university was doing a vast amount of constructive patriotic work, which fact did not justify the conduct of certain of its students, whose disorder Prof. McElroy interpreted to their faces as due to lack of patriotic interest.

"Thereupon the following resolution was adopted:

"'*Resolved*, That the report of the president concerning his visit to Wisconsin be accepted, that in view of the full disclaimer and proof that no imputation concerning the loyalty of the University of Wisconsin and of the State of Wisconsin has been made by Dr. McElroy, the executive committee of the National Security League is fully satisfied with the explanation of the facts regarding the disorder in the audience during Dr. McElroy's address and they fully indorse Dr. McElroy's statements and acts in his western tour, and the matter shall be regarded as closed.'"

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II. The Position of the University of Wisconsin.

(A) As to Dr. M'Elroy.

1. The university has not "attacked" Dr. McElroy on account of the angry words uttered at the agricultural pavilion. Few people heard them at all; fewer still understood the words; few, if any, thought them anything but the sotto voce petulance of an orator who had failed to hold his audience.

2. The University of Wisconsin asserts that Dr. McElroy's account of the matter, contained in the New York Tribune of April 17 and elsewhere, is not a true statement of what occurred. Its slight basis of fact is in the disorder among the students during his address and in Dr. McElroy's low-spoken offensive remarks. Dr. McElroy did not "deliberately insult" the cadet corps, calling them "damned traitors," for an audience can not be insulted by words they do not hear. The corps did not receive the alleged insult in silence, "except that * * * a few men snickered," for Dr. McElroy's assertion that they were inattentive and noisy is fully true. Dr. McElroy did not "test them further." The scene so dramatically described by Dr. McElroy, of a large audience of young men submitting without protest to the charge of being traitors to their country, never took place.

3. The University of Wisconsin asserts that Dr. McElroy's published interview constitutes a charge of disloyalty directed against the cadet corps of the university. It asserts that in charging the cadet corps—some twelve hundred students—with disloyalty he attacked the loyalty of the university. Substantially all of the male undergraduate students are members of that corps or have been enrolled in it. Moreover, he said: "I hesitate to accuse an entire university of disloyalty * * * but * * *." (See Exhibit B.)

The charge is found not in the spoken words of Dr. McElroy but in his statements subsequently printed.

(B) As to the National Security League.

1. The faculty of the university promptly asked from the league "reparation" for the acts of its agent. Pending such action it continued its relation of unaltered friendliness with the league. This relation continued until May 31, when the reply of the league (adopted May 17) was received at Madison.

When President Menken was in Madison he was informed that the University of Wisconsin had no complaint against the league; that its charges were against Prof. McElroy. On May 31, when the reply of the league was received, a telegram was sent to President Menken withdrawing the statement that there was no complaint against the league. (See Exhibit H.)

2. The university, through its representatives, made perfectly clear to President Menken on May 11 that the "reparation" desired was a disavowal of the statement quoted above from the matter officially issued by the league; a withdrawal or disavowal of Dr. McElroy's published interview; that is, such apology for misrepresentation and insult as gentlemen are wont to offer; and that the university could not accept, instead of this, a certificate of loyalty from the National Security League.

(C) As to the resolution of the executive committee of the league dated May 17.

1. President Menken reports his belief "that without qualification every statement made by Prof. McElroy was absolutely exact." This must mean, among other things, that President Menken indorses Dr. McElroy's statement that he "deliberately insulted" the cadet corps of the university; that he called them "damned traitors" and "Prussians"; and that they accepted this characterization. These statements, President Menken says, are "absolutely exact." The university asserts that they are "absolutely" false.

He then goes on to state "that Prof. McElroy had made no reflection upon the loyalty" of the university. We must accept President Menken's statement as embodying his own judgment and that of his executive committee. It is conceivable that they would not regard it as an imputation of disloyalty to the National Security League if a large share of its members were in print called "damned traitors" and said to possess the "souls of Prussians." But if this is so, then the blood of the officers of the National Security League is less easily stirred than that of the members and friends of the University of Wisconsin.

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President Menken states that the "attack of the university" on Dr. McElroy was "made without investigation of the facts." This statement is wholly incorrect. The facts were most carefully investigated on the testimony of many men who heard Dr. McElroy's speech. When President Menken was in Madison on May 11 the only evidence he took was that presented to him by the signers of this statement. They were ready to have the full evidence taken from as many people as he desired to meet. This was not done by President Menken, who expressed himself as fully satisfied with the statement of facts he had received and said that he did not care to take up the matter with others. That he was satisfied that a retraction was due to the university by Dr. McElroy is shown by his official statement in the Chicago Tribune of May 13. (See Exhibit E.) The subsequent statement of President Menken that the "attack" of the university was made without investigation is wholly at variance with the facts. The university can not accept it as either fair or truthful.

2. The resolution of the executive committee of the league speaks of "the full disclaimer and proof that no imputation concerning the loyalty of the University of Wisconsin and of the State of Wisconsin has been made by Dr. McElroy."

This statement appears to be an evasion of the issue. The University of Wisconsin asserts that Dr. McElroy's printed interview charged it with disloyalty and asks the league for reparation. The league replies that Dr. McElroy had not imputed disloyalty to the university and to the State. Let the reader go through Exhibits A and B and judge for himself.

The same lack of explicitness runs through the rest of the resolution. It states that the league "is fully satisfied with the explanation of the facts regarding the disorder in the audience during Dr. McElroy's address." Does this mean that the league is fully satisfied with Dr. McElroy's explanation of "damned traitors," or with President Menken's explanation published in the Chicago Tribune of May 13 of "restlessness at an inopportune moment"? This is precisely the question between the university and the league; and again the executive committee of the league does not meet the issue.

Finally, the resolutions "fully indorse Dr. McElroy's statements and acts in his western tour."

This is the third attempt to bury the issue under generalities. The university has not protested against the acts done or words spoken by Dr. McElroy "in his western tour." It has protested against Dr. McElroy's printed statements concerning the university, made after his return to the East. For these statements it has asked reparation. This request President Menken, after investigation, thought reasonable. (See Exhibit E.) The executive committee of the league, however, meets the request not with a disavowal of words obviously untrue but by a general support of the agent, expressed in words sure to be misinterpreted by those not fully informed with regard to the facts. Dr. McElroy's printed statements insulted the loyalty of the university; the reply of the executive committee of the league is an insult to its intelligence.

JOHN BRADLEY WINSLOW.
CHARLES R. VAN HISE.
E. A. BIRGE.

APPENDIX.

As an appendix there are printed all the documents to which reference is made or from which quotations are taken, so far as they are pertinent to the matter discussed. The omission in printing of any part of a document is indicated.

EXHIBIT A.

[Released for Publication on or after April 15. From the National Security League, 19 West Forty-fourth Street, New York City. E. L. Harvey, publicity director.]

NATIONAL SECURITY LEAGUE LEADER SAYS WEST NEEDS AROUSING ON WAR—DR. ROBERT M. M'ELROY, LEAGUE'S EDUCATIONAL DIRECTOR, FINDS PRO-GERMANISM, APATHY, AND IGNORANCE IN WESTERN TOUR.

New York, April ——. Open pro-Germanism, apathy toward the war, and ignorance of its real meanings to an alarming extent were discovered by Dr. Robert M. McElroy, educational director of the National Security League, in a three weeks' tour through the West from which he returned to this city to-day.

(Here is omitted material not pertinent to this report.)

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PRO-GERMANS AT HEART.

It is fair to say, however, that this condition is the exception and not the rule. Even in the States like Wisconsin, where the German blood is perhaps 30 per cent of the total population, and where the German affiliation by marriage adds certainly another 20 per cent, even in such commonwealths, and they are few, many of the foreign born have already caught the ideas which are able to transform the people of any blood into Americans as real as though their ancestors had fought with Washington to make this Republic or with Lincoln to save it.

But we must face the fact that there are still many communities with pro-Germans at heart enjoying a liberty which makes possible such scandals to our civilization as the opening of parochial schools with the singing of Deutschland ueber Allies and the conducting of the work of the schools in the language of the deadly foe to our ideals and our civilization.

In this trip I have known what it was to face vast audiences shot through and through with unmistakable signs of pro-German sympathies; to face large bodies of young men clad in the uniform of the American Army beneath which were concealed the souls of Prussians. These are the danger spots in our Republic; these are the signs unmistakable that the process of assimilation has not been successfully accomplished, and that therefore we are lacking the common background which is essential to the safety not only of America but of those institutions which America holds in trust for all humanity.

(Remainder of article irrelevant to issue.)

EXHIBIT B.

[From the New York Tribune, Apr. 17, 1918.]

WEST IS CROWDED WITH PRO-GERMANS, DR. M'ELROY SAYS—GOVERNMENT SHOULD INVESTIGATE UNIVERSITY OF WISCONSIN, HE DECLARES.

Dr. Robert McElroy, back from the National Security League speaking tour, which took him through nine States, filled in yesterday the background of some of his charges of pro-Germanism and anti-Americanism.

"At the University of Wisconsin," he said, "where there are about 2,000 students, I spoke to a large audience of young men wearing the khaki of the United States. I was telling them of America's real purposes and aims and ideals in this war. It seemed to me that from the outset the audience took strangely little interest in the things I was talking about, the cause for which I was pleading.

"For the most part, once they had learned that American patriotism was my theme, they sat with folded arms, staring wearily up at the ceiling. From time to time they'd turn and look at each other and smile superciliously, sort of pityingly. There was a good deal of fidgeting and shuffling of feet. Several times, generally at the most strongly patriotic portions of my talk, sounds which bore every sign of being subdued hisses could be heard. Later it was offered to me in explanation that these were warnings to the noisy ones to be quiet; but they didn't sound that way to me.

SNAPPING OF RIFLE TRIGGERS.

"When I began to quote from some of President Wilson's messages," continued Dr. McElroy, "the rattle of snapping rifle triggers throughout the audience—the men, being under compulsory military training, have guns—sounded very much like an attempt to break up the speech.

"Finally I couldn't stand it any longer. I determined to find out whether it was my fault or whether it was the American point of view that these young men objected to. So I leaned forward and I deliberately insulted them.

"'Do you know what I think of you from your conduct to-night?' I said. 'I think you're a bunch of damned traitors!'

"Well, what do you think happened? A loud outcry of protest? A stampede to pull me down on the platform? A demand that I retract that affront to their university? No, sir; not any of those things. What happened was absolutely nothing—not a murmur, not a sound, except that toward the back of the room a few men snickered.

"I was not only thunderstruck; I was appalled. If a speaker said that to a group of men at my university, Princeton, I should hate to have to answer

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for the consequences. But even then I thought I'd test them a little further—give them another chance, as it were. So a little later I said: 'I've often wondered what it would be like to speak before a Prussian audience. I think I know now.' Still there was no protect—no slightest sign of resentment.

"I hesitate," Dr. McElroy continued, "to accuse an entire university of disloyalty, and many people have since tried to reassure me as to Wisconsin. They insist that its absolutely all right, and I certainly hope that it is. But to my mind that episode stands out as one of the most disgraceful things I have encountered, especially coming from a State in which 100,000 disloyal votes were recently registered. I say that a thing like that should be investigated."

MANY ENEMY SYMPATHIZERS.

Commenting on the prevalence of enemy sympathizers in America, Dr. McElroy stated that 30 per cent of the Wisconsin population to-day is German and 20 per cent German by marriage.

"We are not even yet fully awake to what this means," he declared. "I was out there when the news of the German advance was coming through, and from the reception it got you would scarcely have gained the impression that it was a blow to America. You would have been far more likely to suppose that it was somehow a cause for congratulation in this country."

Dr. McElroy also named Oregon, North Dakota, and Michigan as States with extensive communities that are quite undisguised in their sympathy for the foe, while in Monroe County, Ill., he declared, feeling against American participation in the war ran so high that one delegation of Liberty loan orators was threatened with shotguns.

In Washington County, in the south of Illinois, it was, according to Mrs. Myra H. Willson, chairman of the Women's Liberty Loan Committee, impossible to find any one willing to serve as chairman for either the Liberty loan or war stamp work. Sinclair, Adams, Macoupin, and Bond Counties, Mrs. Willson added in a letter to the National Security League, are also all strongly German in make-up.

"It is about time," said Dr. McElroy, "that we stopped just talking about these things. We know the character of what's going on—the Secretary of the Interior himself has told of Deutschland Uber Alles being sung in the western schools—and we ought to know by now where such things lead. They constitute a menace to the Nation, now and in the future. The time has come when we must take some decided action in the matter."

EXHIBIT C.

RESOLUTION OF THE FACULTY OF THE UNIVERSITY OF WISCONSIN ADOPTED APRIL 24, 1918.

The faculty of the University of Wisconsin resents deeply the accusations made by Prof. Robert McNutt McElroy against the university. He charges that its students are disloyal, because, cold and rain-soaked, in an unheated auditorium, some of them showed discourtesy to him as a speaker. The faculty believes that a public speaker who bases a judgement so sweeping upon the experience of such a meeting, who attributes to disloyalty the restlessness and inattention of an audience held for two hours and a half under such physical conditions that a large proportion of the students present had to be put under medical care, such conditions that two citizens who took part have since died from exposure, sufficiently brands his judgment.

The University of Wisconsin, since the beginning of the war, has expended its utmost resources to bring home to its students, and to the State, the significance of the present great struggle for democracy. Through press and platform it has been and is now conducting a systematic campaign of education on the issues and measures of the war, a campaign that has helped in the establishment throughout the State of a fighting patriotism as vigorous as any section or element in the country can show. In all this patriotic work it has had the eager support and constructive aid of the very students that Prof. McElroy slanders. No greater obstacle could be opposed to the success of this campaign and of the work of the National Security League than such hostility and suspicion as are excited by Prof. McElroy's hasty and ill-considered judgments.

The faculty is custodian of the honor of an institution whose sons fought in the armies of England and France before America became a party to the war,

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have been in the forefront of the American line since it has existed, and many of whom have already made the final sacrifice for their cause. It can not allow that honor to be impugned by the agent of a responsible organization, such as the National Security League, without demanding redress, explicit, and emphatic. The faculty calls, with confidence, upon the National Security League to exert its best efforts to undo the damage done by the accusations which its agent has spread broadcast over the country.

EXHIBIT D.

LETTERS TO PRESIDENT VAN HISE FROM MEN WHO WERE PRESENT AT THE AGRICULTURAL STOCK PAVILION DURING THE ADDRESS OF DR. M'ELROY ON APRIL 6.

Letter from John M. Olin, attorney, Madison, Wis., also trustee of the Northwestern Mutual Life Insurance Co.

MADISON, WIS., *May 2, 1918.*

President CHARLES R. VAN HISE,
Madison, Wis.

DEAR MR. VAN HISE: I have read with much interest your letter to President Hibben, of Princeton University. What you state is fully corroborated by my recollection of what occurred at the meeting of April 6 at the stock pavilion. I sat on the stage during the whole meeting and was not more than 20 feet from the speaker, Mr. McElroy. I heard nothing whatever from Mr. McElroy criticizing anybody connected with the university. I felt so strongly about this that when my partner, Mr. Butler, within a few days after the address received a letter from his friend Judge Oscar Hallam, of St. Paul, which inclosed a newspaper clipping containing the charges of McElroy after he had got back East, I positively denied any such statement as McElroy claims to have made was made on that occasion, and I at once wrote Judge Hallam to that effect. Within a day or two thereafter I learned from others that something was said by him just about as you put it in your letter, and on that account I wrote another letter to Judge Hallam correcting my first letter to the extent of stating that undoubtedly McElroy said something, but denied absolutely that he said what he claims to have said. I merely mention these facts to show that, as stated in your letter, whatever McElroy said was said rather to himself than to any audience, and not in a way to attract any attention either on the part of the student body or anybody else. Indeed, had McElroy called the students, as he claims to have done, a lot of "damned Prussians" so that they could have heard the same, I do not believe McElroy would have continued speaking very long, for I think the student body would have seen to it that he was not permitted to say anything further.

Very truly, yours,

JOHN M. OLIN.

Letter from O. D. Brandenburg, editor in chief, Madison Democrat.

MADISON, WIS., *May 6, 1918.*

Dr. CHAS. R. VAN HISE,
President of the University of Wisconsin,
Madison, Wis.

DEAR DR. VAN HISE: At South Bend, Ind., a few days ago while away from home I noticed your letter to President Hibben, of Princeton University, with reference to the published assertion of Prof. Robert McNutt McElroy that in his address at Madison April 6 he deliberately sought to insult his audience by saying:

"Do you know what I think of your conduct to-night? I think you're a bunch of damned traitors"; and it is also claimed that he referred to his auditors as "damned Prussians."

Your answer in effect that nothing of the sort occurred, at least that nothing of the sort was audible, is strong and reasonably complete. Your language and your intimations are fully justified; but I wish to add my testimony to the effect that Dr. McElroy made neither of these statements. I sat within 20 feet of him and heard every word he uttered. There were no allusions openly or in suppressed tones to "damned traitors" or "damned Prussians" or a single reference of any nature calculated to be a reflection upon the loyalty of his audience.

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Indeed, it is but just to Dr. McElroy to say that his speech was one of fine diction and his poise that of a complete gentleman. When this is said, I think all is said—and all would have been well but for this later astounding assertion by Dr. McElroy that he deliberately aimed to insult his audience. If he actually makes such a claim, I regret to say that he is guilty of falsification. I have been a reporter for more than 30 years, trained carefully to hear what public speakers may say, and I can not possibly be mistaken when I now declare that Dr. McElroy said nothing to insult his audience. He never called the people "damned Prussians." He never called them "damned traitors." Do you imagine, Dr. Van Hise, that reporters representing daily papers in Madison and Milwaukee, sitting at the very feet of Dr. McElroy would have let escape any such sensational utterances? It is unbelievable. Had Dr. McElroy called the people before him "damned traitors" or "damned Prussians" these reporters instantly would have played that fact up into the "lead" of their reports; yet not one of them did so. These reporters were not deaf. They would have heard any such remarks had they been made by Dr. McElroy and they would have given them the importance that the sensational character of the utterances justified. Dr. McElroy, I am bound to believe, either has not been correctly quoted or his is guilty of inexcusable misrepresentation—misrepresentation that discredits him as a gentleman, that discredits the university which harbors him as a member of its faculty.

I write to-day, Dr. Van Hise, merely to commend your condemnation of Dr. McElroy, your defense of the students and of the loyalty of our people.

I have the honor to be, sincerely,

O. D. BRANDENBURG.

Letter of F. H. Elwell, professor of accounting, University of Wisconsin.

MADISON, *May 7, 1918.*

President CHAS. R. VAN HISE, *University Hall.*

DEAR PRESIDENT VAN HISE: During the Liberty Day program at the stock pavilion, April 6, 1918, I was seated on the platform in the third row directly back of Senator Lenroot.

The only statement which I heard Prof. McElroy make to the audience was in effect as follows: "It is the first time I have been applauded by the Americans and hissed by the enemies in the same audience." This statement was made in such an extremely low tone that the audience could not have heard the remark. In fact, I asked Prof. Commons who was seated next to me, if he understood what Prof. McElroy had said, and he replied "No."

When Prof. McElroy finally concluded his remarks and returned to his seat he turned to Miss Burke and said in a low voice, but so clearly that I heard it distinctly, "I believe there are a lot of damn traitors in that audience."

These statements are the only ones which I heard, and I believe I gave careful attention to the speech.

Yours, very truly,

F. H. ELWELL.

Letter of John R. Commons, professor of political economy, University of Wisconsin.

MADISON, *May 9, 1918.*

President CHARLES R. VAN HISE,
University of Wisconsin.

DEAR PRESIDENT VAN HISE: Replying to your inquiry regarding my recollection of the incidents connected with Mr. McElroy's address at the stock pavilion, April 6, would say that I sat next to Prof. Elwell, in the third row directly back of the speaker, Mr. McElroy. Parts of his speech I heard quite plainly, especially the first part. Other parts I was not able to comprehend. Finally, when he started to criticize the audience, I noticed something unusual, but could not gather the words which he said. Prof. Elwell, who apparently heard what he said, turned to me and asked me if I heard it and I shook my head or said I did not.

At the close of the meeting and after the other speakers had finished, Prof. Elwell said in effect, "Certainly President Van Hise ought to correct McElroy's impression or he will go away with the wrong notion of what the boys in-

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ended." And I said in effect, "Well, I don't know what he said, but if you feel so, certainly go ahead and catch Van Hise before he gets away, for evidently he does not think anything has occurred."

Sincerely, yours,

JOHN R. COMMONS.

Letter of John S. Donald, former secretary of State of the State of Wisconsin.

MOUNT HOREB, WIS., *May 8, 1918.*

President CHARLES R. VAN HISE.
University of Wisconsin, Madison, Wis.

MY DEAR PRESIDENT VAN HISE: I noted in the press your letter to President Hibben, of Princeton University, protesting the charges made by Prof. McElroy, of that institution, against the students of the University of Wisconsin. The bitterness which has resulted from the visit of Prof. McElroy to Wisconsin is to be regretted, and not only as chairman of the Dane County Council of Defense, but as a citizen of the State, I wish to say that I approve decidedly of your letter to President Hibben, and especially that part which invites him to investigate what occurred at the meeting over which there has been so much controversy and to ascertain for himself the true attitude of the citizens of Madison, as well as the student body.

In saying this, may I also make a statement in regard to my impression of Prof. McElroy's attitude and that of his audience[

I occupied a position on the platform in front and directly to the right of the speaker on the side seats facing him. The speaker followed his notes closely and must have realized that he was not holding his audience, for at one point he made inquiry as to whether or not he could be heard at the rear of the pavilion and asked that hands be raised if his voice was reaching them. This was said in a cold, almost defiant manner. Some hands were raised.

In regard to that part of his speech concerning which the controversy has chiefly arisen, I understood him to say during his discussion of pro-Germans and their attitude on the war and referring to the Berger vote in this State that he had hoped to face a pro-German audience and "by God, I believe there are some of them here." It was difficult to follow him even in my favorable position on the platform and in the manner in which this was said it is easy to understand how such a remark would not easily be interpreted by anyone in the audience in the light in which Prof. McElroy has since seemed to wish to have it understood.

Permit me to further say in regard to my observations as to the behavior of the audience, I did not notice any demonstration or unkind attitude of the students or of anyone else excepting the departure of persons, which, considering the discomfort and length of the program, was not to be unexpected. I was much surprise, therefore, at the rebuke which was given to the boys in khaki by the chairman of the meeting. His remarks at the time and the frankness in which they were expressed should have been sufficient satisfaction to any person participating in a patriotic program and especially to a supposedly honored guest with temperament and qualities of mind adapted for teaching or for promoting loyalty and democracy.

Sincerely, yours,

J. S. DONALD.

EXHIBIT E.

[Chicago Tribune, May 13, 1918.]

SECURITY LEAGUE CHIEF UPHOLDS U. OF W. LOYALTY—S. A. MENKEN ABSOLVES STUDENTS IN M'ELROY AFFAIR.

The University of Wisconsin is officially cleared by the National Security League of any suspicion of disloyalty or lack of patriotic ardor. In addition, the league officially praises its unusually effective patriotic effort during the war and bears testimony to the excellent work done by its students, faculty, and alumni alike. This certificate of patriotic character was given yesterday to the Tribune by S. Stanwood Menken of New York, president of the league, after Mr. Menken had taken a hurried journey from New York to Madison, Wis., for the sole purpose of investigating at first hand the recent McElroy incident.

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Mr. Menken further said yesterday that a statement would undoubtedly be forthcoming in a day or two from Prof. McElroy himself denying the correctness of some of the statements attributed to him concerning the university and its students, the latter of whom he is reported to have denounced as "damned Prussians" and disloyal during a speech made in the stock pavilion of the university on April 6.

ALLEGES MISUNDERSTANDING.

Prof. McElroy's ire was particularly aroused, according to Mr. Menken, when the audience showed restlessness during the reading of the war message of the President. Thereupon he said, "Any man who does not in all things subscribe fully to these sentiments expressed by President Wilson is a traitor not only to his country but to all humanity." This, said Mr. Menken, the audience took to mean a generalization, while Prof. McElroy, laboring under a great strain because of an arduous speaking campaign, and annoyed at the restlessness in the hall, intended it as a personal gibe at his hearers.

Because there was no resentment expressed, Prof. McElroy leaped at the conclusion that the university students had not sufficient courage to resent an imputation upon their loyalty, and so expressed himself in the East.

When the exact facts are explained, upon Mr. Menken's arrival in New York, he said he thought Prof. McElroy would issue a statement admitting his misconception of the attitude of the university students and regretting the episode in its entirety.

MENKEN'S OFFICIAL STATEMENT.

Mr. Menken's official statement on behalf of the league follows:

"I went to Wisconsin because the executive committee of the National Security League wished me to carry Prof. McElroy's statement that he never gave forth any utterance reflecting directly or indirectly on either the loyalty of Wisconsin or the university. No one could have done so. Wisconsin has, of course, had the burden of La Follette and Berger to bear, but these factors have merely served to rouse the people, to make them fighting patriots to a degree unknown in most of the East.

"The records of the State and the university are remarkable. President Van Hise assured me that 1,500 students and 3,000 alumni had gone into the Army, and he detailed the wonderful work being done on constructive lines for the permanent upbuilding of the Nation. We spoke of the German-Americans. I found that, as in the East, the vast majority of Germans are as loyal as any other element and as bitter toward the few Prussian malcontents as any native-born citizen.

PERILS OF AUTOCRACY.

"The intelligent German knows the perils of autocracy and the sorrow for mankind if we should fail to attain victory. He is a strong believer in individual liberty, and in many instances he or his parents fled from Germany because they were determined to risk life under new conditions rather than suffer from 'kultur.'

"As to the McElroy incident, during his speech it is clear the students were cold and not interested in an address which, though of great academic merit, did not appeal to them. They showed their restlessness at an inopportune moment, when McElroy was reading from the President's message. He misinterpreted their action as that of disloyalty. It was most unfortunate, and when he is convinced of that fact I am sure he will be glad to say so.

"Prof. McElroy is intense in his work, which is one of the broadest and most far-reaching ever undertaken in this country. He believes in it so thoroughly that it was hard for him to realize that freshmen and sophomores, rain soaked, could be showing fatigue and not irreverence for the words he quoted.

CHEERS FOR WISCONSIN.

"The league at its annual meeting last Wednesday indicated in the cheers for Wisconsin, in which Prof. McElroy led, just where we stand. We in the past have had full acquaintance with the patriotic war work done by the University of Wisconsin and with the other undertakings of the university for the last 20 years to lay the foundation for true extension work among the citizens. It has

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taught and served so progressively that any reflection upon it would be an outrage.

"There is no difference in the quality of true patriotism East, West, North, or South, and it is important that all such suggestion be eliminated. It is destructive of the splendid national unity which is one of the great benefits that have been won through the war."

Mr. Menken left yesterday at noon for New York, and upon his arrival there the foregoing statement, together with the expected statement of Prof. McElroy, will be officially given out. With this it is expected the incident will be closed.

EXHIBIT F.

TELEGRAMS WHICH WERE SENT TO PRESIDENT MENKEN AFTER HIS VISIT AT MADISON.

MAY 24, 1918.

S. STANWOOD MENKEN,
52 William Street, New York:

Have letter from Pepper indicating that no further action will be taken in the McElroy matter. Is this correct?

CHARLES R. VAN HISE.

MAY 28, 1918.

S. STANWOOD MENKEN,
52 William Street, New York:

When may we expect a statement in regard to the attitude of the National Security League toward the McElroy affair? We had anticipated receiving the information before this time.

CHARLES R. VAN HISE.

EXHIBIT G.

RESOLUTION OF EXECUTIVE COMMITTEE OF NATIONAL SECURITY LEAGUE.

Dated May 17. Received May 31. See above.

EXHIBIT H.

May 31, 1918.

S. STANWOOD MENKEN,
52 William Street, New York:

When you were here I stated that we had no complaint to make against the National Security League; that our charges were against Prof. McElroy. Since the executive committee of the league indorses McElroy's statements and acts and your report as president makes a charge against this university, I withdraw the statement that we have no complaint to make against the National Security League. * * *

CHARLES R. VAN HISE.

Mr. SAUNDERS (presiding). The committee will adjourn its sessions until Monday morning next in Washington. The members of the committee find that there are matters that require their presence at the Capital, and the sessions will be resumed in Washington. So far as the witnesses are concerned, however, who will be notified, they are to be in Washington on Tuesday at 10 o'clock a. m. They will be notified—the witnesses that are desired at that time. The committee stands adjourned until Monday morning at 10 o'clock in Washington.

(Whereupon, at 1.30 o'clock p. m., the committee adjourned to meet at Washington, D. C., on Monday, January 13, 1919, at 10 o'clock a. m.)

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NATIONAL SECURITY LEAGUE

APR 21 1921
GOVERNMENT

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 14, 1919

PART 7

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.
PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Tuesday, January 14, 1919.

The committee met at 10 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committee will please come to order. Mr. Browne, I believe you wish to ask Mr. Menken some questions.

STATEMENT OF MR. S. STANWOOD MENKEN—Continued.

Mr. BROWNE. Mr. Menken, is Dr. Robert McNutt McElroy now in the employment of the National Security League?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. At the same salary, $10,000 a year?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. And the only retraction or statement that he has made, that has been made public, is this statement of fact that you introduced.

Mr. MENKEN. I believe so.

Mr. BROWNE. You are a lawyer and of course have great respect for the statements or judgment of the highest court in any State, don't you?

Mr. MENKEN. I generally have, yes.

Mr. BROWNE. Did you meet Chief Justice Winslow of the Supreme Court of Wisconsin when you were in Wisconsin?

Mr. MENKEN. I did.

Mr. BROWNE. He impressed you as being a man of high character and a man that you would have great confidence in?

Mr. MENKEN. He did.

Mr. BROWNE. You read his statement, didn't you?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Made in regard to what transpired at the meeting at Madison, in regard to Robert McNutt McElroy? That meeting was what day in April.

Mr. MENKEN. I don't know.

Mr. BROWNE. April 6, 1918, was it?

Mr. MENKEN. About that.

Mr. BROWNE. At the agricultural pavilion. You were thoroughly satisfied that at the agricultural pavilion on the night of April 6, 1918, when the meeting was held, addressed by Dr. McElroy, that it was not a comfortable place to hold a long meeting in, was it?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. The building was not heated, was it?

Mr. MENKEN. I was so advised.

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Mr. BROWNE. It was the stock pavilion?
Mr. MENKEN. Yes, sir.
Mr. BROWNE. With cement floors?
Mr. MENKEN. I don't know about that.
Mr. BROWNE. And you were satisfied that the boys that marched and that were in United States uniforms and were in the Army——
Mr. MENKEN (interposing). No, sir.
Mr. BROWNE. They were not in the Army?
Mr. MENKEN. I came back and reported to Dr. McElroy that the men were volunteers for service and were United States soldiers, and the moment I told him that he said, "Irrespective of what happened, I will apologize to those men." We investigated the facts afterwards and found that they were not.
Mr. BROWNE. Well, they were in the uniform of the United States, were they?
Mr. MENKEN. I understood not. I understood they were in the students' course, such as we have up at Cornell, cadet uniforms.
Mr. BROWNE. And did they have guns?
Mr. MENKEN. I believe they did.
Mr. BROWNE. You know that was mentioned in the interview, that they clicked their guns, or something?
Mr. MENKEN. Yes.
Mr. BROWNE. And they had been marching all day, hadn't they?
Mr. MENKEN. I don't know.
Mr. BROWNE. All the afternoon?
Mr. MENKEN. I don't know.
Mr. BROWNE. Well, you know this, that a United States officer is stationed at Madison, don't you?
Mr. MENKEN. I presume so, it being a State university, with the benefit of the Federal land-grant law, they have the same provision as at Cornell, of which I am a graduate.
Mr. BROWNE. And aren't they subject to being called out at any time?
Mr. MENKEN. I did not so understand, except under the draft law. They are subject to the provisions of the draft law.
Mr. BROWNE. Now, these men were cold? It was established that these men were cold and shivering and wet through, wasn't it?
Mr. MENKEN. I understood some of them were.
Mr. BROWNE. Well, all of those men that marched and carried guns?
Mr. MENKEN. I don't know, sir.
Mr. BROWNE. It was raining all that day, wasn't it?
Mr. MENKEN. I don't know, sir. I heard they marched through damp and rainy conditions; whether it was a mile or three miles, to the assembly place, and that is all I know.
Mr. BROWNE. And wasn't it established beyond any question that they were wet through and drenched with rain? Is there any controversy over that part?
Mr. MENKEN. I was clear in my own mind, from what I heard, that they were cold and chilled to a large degree.
Mr. BROWNE. And it is pretty cold weather on the 6th of April in Wisconsin, isn't it?
Mr. MENKEN. I don't know.

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Mr. BROWNE. Well, you know about what the latitude of Wisconsin is, don't you?

Mr. MENKEN. Yes, it may or may not be.

Mr. BROWNE. Now if a man like Chief Justice Winslow of the Supreme Court, made a statement that Dr. McElroy never made such a statement as he claims in his interview with the New York Tribune, so that it was audible to his hearers or his audience, what would you consider that? Would you consider that a statement to be relied upon?

Mr. MENKEN. I would consider that he meant it to be an absolutely true statement and that he made it in absolute good faith, without any reservation, but it would not be conclusive on my mind.

Mr. BROWNE. But you don't think a judge of the highest court would make a statement of that kind unless he was very positive of it, do you?

Mr. MENKEN. I know Judge Winslow was in his own mind perfectly convinced he was telling the exact truth, but I did not agree with him in some of the details.

Mr. BROWNE. Now you know Dr. Charles Van Hise, the former president of the university, now dead?

Mr. MENKEN. I had the privilege of meeting him.

Mr. BROWNE. And you have known him a great many years, haven't you?

Mr. MENKEN. I have.

Mr. BROWNE. One of the greatest scientists in the country, wasn't he?

Mr. MENKEN. He was one of very considerable reputation.

Mr. BROWNE. And engaged in war work under the President, wasn't he?

Mr. MENKEN. I don't know.

Mr. BROWNE. You didn't hear that?

Mr. MENKEN. I heard about war work being done at the university.

Mr. BROWNE. And you know of his going over to Europe for the President?

Mr. MENKEN. I have a faint recollection of hearing of something of the kind.

Mr. BROWNE. Now he was on the platform at this meeting, wasn't he?

Mr. MENKEN. I believe he was, part of the time.

Mr. BROWNE. Wasn't he all of the time?

Mr. MENKEN. I don't know.

Mr. BROWNE. And Judge Winslow was sitting on the platform where Mr. McElroy addressed the audience, wasn't he, all the time?

Mr. MENKEN. I don't know. Some of them were and some of them were not. I can't tell you the particular ones. There were so many that I talked to.

Mr. BROWNE. You read President Van Hise's statement, didn't you?

Mr. MENKEN. Yes.

Mr. BROWNE. Which corroborated Judge Winslow's.

Mr. MENKEN. Yes.

Mr. BROWNE. Now do you think that a man like President Van Hise, president of the University of Winsconsin for a great many

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years, would make the statement that he made unless he was absolutely sure that it was true?

Mr. MENKEN. I believe the statement reflected his absolute truthful belief; his sincere belief.

Mr. BROWNE. And there were many other statements made, particularly the one by Mr. Brandenburg, editor of the Madison Register, a man who has lived in Madison for a great many years, a man of the highest character, corroborating the statements of President Van Hise and Chief Justice Winslow, didn't he?

Mr. MENKEN. I heard your letter—I heard the letter you read from Mr. Brandenburg, which was the first I knew of that.

Mr. BROWNE. That was addressed to President Van Hise.

Mr. MENKEN. I think so.

Mr. BROWNE. It was part of the record they sent to you, was it not?

Mr. MENKEN. I don't think the Brandenburg letter was.

Mr. BROWNE. Well, I show you this little pamphlet here, entitled "Report upon the Statement of Robert McNutt McElroy, and the Executive Committee of the National Security League, relating to the University of Winconsin" [indicating pamphlet]. Now I will just show you Mr. Brandenburg's letter.

Mr. MENKEN. If you say it is in there, I accept it. I don't question it.

Mr. BROWNE. There is the letter on page 22 [indicating].

Mr. MENKEN. Yes, I recall that.

Mr. BROWNE. That pamphlet was sent to you, wasn't it?

Mr. MENKEN. Yes.

Mr. BROWNE. Now, Mr. Brandenburg in his letter made this statement in regard to what occurred:

> When this is said I think all is said, and all would have been well but for this latter astounding assertion by Dr. McElroy that he deliberately aimed to insult his audience. If he actually makes such a claim I regret to say he is guilty of falsification. I have been a reporter for more than 30 years, trained carefully to hear what public speakers have to say, and I can not possibly be mistaken when I now declare that Dr. McElroy said nothing to insult his audience; he never called the people "damned Prussians;" he never called them "damned traitors." Do you imagine, Dr. Van Hise, that reporters, representing daily papers in Madison, Milwaukee, sitting at the feet of Dr. McElroy, would have let escape any such sensational utterances?

Now could a man with the experience of Mr. Brandenburg, editor in chief of the Madison Democrat, who was reporting that meeting, and sitting immediately in front of the speaker for the purpose of reporting it, and getting down every word that he said, and was there during the entire meeting—could he be mistaken if Dr. McElroy made that statement to the audience that he is reported to have made by the Tribune?

Mr. MENKEN. I have the proof of the member.

Mr. BROWNE (interposing). I am asking you not about your proof but whether this man could be mistaken.

Mr. MENKEN. He was mistaken.

Mr. BROWNE. He either was mistaken, you think, or stated something that was a deliberate falsehood?

Mr. MENKEN. He told what he believed to be the absolute truth, but I had the testimony of Prof. Fish, of the University of Wiscon-

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sin, showing that Dr. McElroy said just what he said he did. Dr. Fish is a member of their own faculty.

Mr. BROWNE. I am asking you about this man, Mr. Brandenburg, whether he could be mistaken, sitting right in front of him.

Mr. MENKEN. I can only say so, because I have the evidence of Mr. Fish and one or two others that convinced me.

Mr. BROWNE. Well, now, take it in your own State, if the chief justice of the supreme court and the president of Columbia College and a very reputable owner of a newspaper, and a reporter, made statements as Chief Justice Winslow, of the supreme court, has, and President Van Hise and Mr. Brandenburg have made; and on the other side Robert McNutt McElroy, or any one else that you know of had made a statement to the contrary, would you think that Dr. McElroy was mistaken, or that these three men, disinterested men, were mistaken?

Mr. MENKEN. I can state the facts about it, if you will let me. It is rather hard to be categorical and be fair to your question there, Congressman. If you will let me state the facts, I will tell it.

Mr. BROWNE. Would any court sitting upon this matter hesitate to believe Judge Winslow and Charles A. Van Hise, Mr. Brandenburg, and the other reporter?

Mr. MENKEN. I think they would come to the same conclusion I do, if they had the same evidence I have—disinterested evidence and antagonistic evidence to Dr. McElroy in support, however, of his contention.

Mr. BROWNE. Now you say you have the statement of Prof. Fish?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Do you know Prof. Fish?

Mr. MENKEN. I met so many of the faculty out there—I think I met him. I will just read to you the statement of Prof. Fish.

Mr. BROWNE. His full name is Carl Fish, isn't it?

Mr. MENKEN. Yes. Prof. Carl Russell Fish, contained in a letter dated April 19, 1918, addressed to Prof. Elbert Bushnell Hart, who was first chairman of this committee on patriotism through education. It is dated at Madison, Wis., under the heading of "The University of Wisconsin." It is a long letter but among other things which I would like to read into the record is the following:

McElroy gave a talk of over an hour, of the precise quality of which I cannot very well judge, as I was too uneasy to follow him, but, at any rate, it was strictly academic in character. As he went on, the students grew restless, some of them clicking their muskets and others "schishing" to keep them quiet. McElroy, naturally uneasy to see his speech was not "getting over," lost his temper and said, "By God, I believe you are traitors." And to this position he stuck, stating, after the meeting, that he knew that at least 60 per cent of the students were actively disloyal, hissing, not himself personally, but the sentiments of Americanism he was expressing. Of course, it was utter nonsense, and it shows a lack of judgment, etc.

Mr. BROWNE. Read it all.

Mr. MENKEN (reading):

which seems to me to make him a rather dangerous person to play with fire. I may say to you, who know students, the aggravation of being compelled to sit for three hours, when everybody else was allowed to leave was increased by the fact that it was the third day that week on which they had been called upon for extra military service.

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I spent the entire evening trying to convince McElroy that he had mistakenly sized up the situation, but without effect. I think we all here feel increased suspicion that a nation-wide campaign of education directed by a man with no better judgment is mighty apt to prove a boomerang. We do believe, do know something of the Wisconsin situation, and I believe also that as things have been rather unusually tense at Wisconsin, our judgment with regard to the problems of present-day sentiment in the United States is not without its value. Personally, Prof. McElroy asked me to cooperate in the campaign for the summer, but I should certainly hestitate to do so without decided assurances that it is going to be outlined and controlled by somewhat saner heads.

Very sincerely yours,

CARL RUSSELL FISH.

Now you can see the criticism in that letter, yet it is a statement that support Prof. McElroy's statement.

Mr. BROWNE. Does he make any statement in there that he called them "damned Prussians" and "damned traitors"?

Mr. MENKEN. He says: "My God, I believe you are traitors."

Now I want to say this, that everybody I got on this thing, who heard Dr. McElroy, gave a little different interpretation of the exact language.

Mr. BROWNE. Now what other persons did you get on that in the University of Wisconsin? Where did Mr. Fish say he sat?

Mr. MENKEN. He didn't say.

Mr. BROWNE. You put his letter into the record, will you?

Mr. MENKEN. I will.

(The letter referred to follows:)

UNIVERSITY OF WISCONSIN,
Madison, April 9, 1918.

Prof. ALBERT BUSHNELL HART,
Department of History, Harvard University,
Cambridge, Mass.

MY DEAR PROF. HART: A number of us here are rather disturbed over the National Security League. We have been interested in it as the most promising of the distinctively patriotic societies, and anxious to further its work. Last year a local chapter was organized and a speaker sent by the league. I have forgotten his name, but he made such a ridiculous presentation of his case that it ultimately broke up the chapter. We of the profession have been very much afraid of the consequences of having the educational campaign of the league in charge of Prof. McElroy, in whose judgment we have had very little confidence. This apprehension has been decidedly increased by his recent visit here.

It so happened that his visit coincided with a loyalty demonstration in the town, including a big parade and meeting. The day turned out to be a drenching, cold, March rain. Nevertheless, the university turned out all its cadets, and a large number of the people marched in the parade. I suppose we started in our unheated stock pavilion, with an audience of 5,000. Anyone accustomed to public meetings of this kind would have realized that the thing to do was to give short, snappy speeches and send the people home. As it was, everybody behaved badly. The chairman of the meeting took occasion to vent a grudge which he has had against the university for 20 years, and the audience began leaving as soon as the performance opened. At the end of the three hours of meeting, I do not think there were 100 people in the stock pavilion aside from those who had to be there, which included 800 cadets, in light, kahki uniforms, drenched to the skin. McElroy gave a talk of over an hour, of the precise quality of which I can not very well judge, as I was too uneasy to follow him, but, at any rate, it was strictly academic in character.

As he went on, the students grew restless, some of them clicking their muskets and others "schishing" to keep them quiet. McElroy, naturally uneasy to see his speech was not "getting over," lost his temper and said "By God, I believe you are traitors!" And to this position he stuck, stating, after the meeting, that he knew that at least 60 per cent of the students

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were actively disloyal, hissing, not himself personally, but the sentiments of Americanism he was expressing. Of course, this was utter nonsense, and it shows a lack of judgment, which seems to me to make him a rather dangerous person to play with fire, I may say to you, who knows students, that from their own point of view the aggrevation of being compelled to sit for three hours when everybody else was allowed to leave was increased by the fact that it was the third day that week on which they had been called upon for extra military service.

I spent the entire evening trying to convince McElroy that he had mistakenly sized up the situation, but without effect. I think we all here feel an increased suspicion that a nation-wide campaign of education directed by a man with no better judgment is mighty apt to prove a boomerang. We, I believe, do know something of the Wisconsin situation, and I believe also that, as things have been rather unusually tense at Wisconsin, our judgment with regard to the problems of present-day sentiment in the United States is not without its value. Personally, Prof. McElroy asked me to cooperate in the campaign for the summer, but I should certainly hesitate to do so without decided assurances that it is going to be outlined and controlled by somewhat saner heads.

Very sincerely yours,

CARL RUSSELL FISH.

Mr. BROWNE. Notwithstanding that, you thought that Dr. McElroy was a proper man to go around and address meetings and educate the people and youths of the country?

Mr. MENKEN. Well, I think Mr. Brandenburg came to that conclusion too, from the evidence here.

Mr. BROWNE. Well, I have read his statement.

Mr. MENKEN. I don't think you have read this, may it please you, Congressman.

Mr. BROWNE. I have read his signed statement.

Mr. MENKEN. Yes, but I have one of December 12, 1918, which I would like to introduce.

Mr. BROWNE. December 12?

Mr. MENKEN. Yes, sir, 1918, from Mr. Brandenburg.

Mr. BROWNE. Wait a minute. It is foreign to this proposition right here.

Now Mr. Hobbs, Prof. Hobbs of Michigan, immediately rallied to the support of McElroy on this thing, didn't he?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. He wasn't at the meeting, was he?

Mr. MENKEN. No, but he had his own method of finding out.

Mr. BROWNE. And despite, as I say, the statements that I have read from the Chief Justice of the State and President Van Hise and Mr. Brandenburg, you think that Dr. Elroy made the statement calling them "damned Prussians" and "damned traitors"—calling the students that, do you?

Mr. MENKEN. I do. And I have further evidence, too.

Mr. BROWNE. How do you account for the fact that not a newspaper man, a single newspaper reporting that meeting, has any statement of that kind either in their headlines or in their articles, giving an account of the meeting?

Mr. MENKEN. I can not try to interpret the editorial mind, but I think I understand it.

Mr. BROWNE. Well, why is it? Just give your reason.

Mr. MENKEN. Well, I will tell you, firstly, the whole crux of this matter as I could find it out is this: Prof. McElroy had a way of cadencing his *voice. As I said to* you the very first thing, he has a

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peculiar method of speaking up and down. He said this in a voice that was perfectly audible, according to the testimony I get, 20 feet in front—25 feet. He was under great heat, great pressure, and probably did lose his temper at that time. He felt—and he said it in that quiet, low voice. Now that was the evidence I got. I was perfectly convinced that the men who sat behind him on the platform, which I was advised was a large one, did not hear him. I was also convinced that all of them had heard Dr. Elroy speak in the early part of the day, and at that meeting they felt that he was repeating a good deal of what he had said before, and they did not follow him very closely, and consequently it was not audible to them. Now the question I have to solve in my mind, the responsibility I had as president of the league, was to determine the fact whether we had as our educational director not a man who would once, after a tour of 21 days, where he had been speaking three of four times a day, lose his temper—ill advisedly, perhaps—but whether he was a truthful man or a liar. That was the whole fact that I was meeting, and I was perfectly prepared for whatever the result was, and I came back convinced by the testimony of Prof. Fish and others that Dr. McElroy had told a story which in all its substantial elements was absolutely true; and that furthermore there were certain things added to the story that incensed the people in Wisconsin very much—by the reporter, in a perfectly legitimate development of his story—that Dr. McElroy had never said, and that the University had attacked Dr. McElroy without ever coming back at him and saying: "Is this the story that you got out?" They made their attacks first without any inquiry as to the correctness of the statement in the paper.

Mr. BROWNE. Well, he never has contradicted that.

Mr. MENKEN. I understand, but it got to be a very painful, a very difficult, a very unfortunate position, and I think—I was perfectly convinced that the man told the truth, and I so reported. I was also convinced that the university was loyal in the extreme.

Mr. BROWNE. Well, were you convinced that—did you form a conclusion at all in regard to whether the students heard what Dr. McElroy claims he said?

Mr. MENKEN. Some of them heard him, but most of them did not, and those who did, I think in the main did not hear him to realize that he was making a personal attack upon them. I am personally convinced they did not understand that.

Mr. BROWNE. If he did as he states here—he says this in his interview, which he has never contradicted as yet:

> Finally I could not stand it any longer. I determined to find out whether it was my fault or whether it was the American point of view that these young men objected to, so I leaned forward and deliberately insulted them. "Do you know what I think of you from your conduct tonight?" I said. "I think you are a bunch of damned traitors."

Has there been any communication made to you stating that he made that statement?

Mr. MENKEN. I want to say, knowing the mutability of the human mind, that I considered Carl Russell Fish's statement, "My God, I believe you are traitors" a sufficient verification of that statement. Whether he said, "By God" first in one instance and said "damn" in the other, didn't make much difference to my mind. I thought it *was a case of de minimus non curat lex.*

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Mr. BROWNE. Now continuing:

Well, what do you think happened? A loud outcry of protest; a stampede to pull me down off the platform; a demand that I retract that affront to their university? No, sir; not any of those things. What happened was absolutely nothing; not a murmur; not a sound except that toward the back of the room a few men snickered. I was not only thunderstruck; I was appalled. The speaker that said that to a group of men at my university of Princeton I should hate to have to answer for the consequences. But even then I thought I would test them a little further—give them another chance, as it were—so a little later I said, "I have often wondered what it would be like to speak before a Prussian audience. I think I know now." Still there was no protest, not the slightest sign of resentment.

Now, there isn't anything that you have read yet that indicated that any such statement as that was made, is there? You have read Dr. Fish's statement once there.

Mr. MENKEN. Yes; but I want to say this, I don't want to bring women into this thing, but I had also the testimony of a woman of great eminence, and I would just as soon tell you privately who it is. I don't want to put it in the record. I think she would object, but she gave me her testimony that she was right there, and I have got letters from her verifying it, and there is no question that he said these things, but said it in that way. You must remember that at the time these things were said there was a very critical condition out there. He came into a hall where he saw LaFollette's picture hanging, and that was when he had this terrible worry about Wisconsin.

Mr. BROWNE. I am not talking about that part of it. I am talking about a fact there, whether a matter occurred or did not occur.

Mr. MENKEN. I believe it occurred, but I believe it occurred that way. My view, I don't question the truthfulness for one instant of either Dean Birge or Dr. Van Hise or Judge Winslow. I would take their testimony on any subject, but I don't think they heard it. The picture is just the way I gave it.

Mr. BROWNE. You don't think the students heard it either, do you?

Mr. MENKEN. I don't know. I don't for one instant believe that the body of the students believe it the way that article pictured it.

Mr. BROWNE. Then that article just pictures the matter as it was, does it?

Mr. MENKEN. It draws the whole picture, as I reported, although it tells a fact. It is not a fair picture of the University of Wisconsin, and I so reported.

Mr. BROWNE. But you heard when you were there and made this investigation that about a week before Dr. McElroy made his speech the university boys took a socialistic speaker, took him off the platform and threw him out of the hall, didn't you?

Mr. MENKEN. I heard it with much pleasure, sir.

Mr. BROWNE. So you don't think they were lacking in loyalty or in being red-blooded young men, do you?

Mr. MENKEN. I think that the record has proven the magnificence of their service beyond argument or discussion, and the university has done some of the most scientific work that has been done in this country.

Mr. BROWNE. That goes to show the character of the student body at Madison, and that would go to show that they never heard a statement that was made like this, if it ever was made by Dr. McElroy.

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Mr. MENKEN. What I say is this: I don't know whether they hear it or not, but I am perfectly convinced that they did not consider it a personal reflection upon them.

Mr. BROWNE. Well, they are intelligent young men?

Mr. MENKEN. I should judge so.

Mr. BROWNE. And if he had made the statement purported to have been made by him in his interview, the statements there, they certainly would have taken it as the gravest kind of an insult to them.

Mr. MENKEN. Yes, I think they would have understood it, but if they had been in a state to understand it, they would not have been in the state to have acted the way they did. They acted extremely badly. The faculty admitted to me that their conduct was extremely bad, outrageously discourteous to Prof. McElroy. It could not be overstated.

Mr. BROWNE. Did Judge Winslow say that?

Mr. MENKEN. I won't mention Judge Winslow.

Mr. BROWNE. Didn't Judge Winslow——

Mr. MENKEN. You asked me a question, and I am going to answer it. The members of the faculty that I met——

Mr. BROWNE (interposing). Give the names.

Mr. MENKEN. I can't tell you, but President Van Hise introduced me to seven or eight members of the faculty, and they apologized to Dr. McElroy for the bad conduct of the students.

Mr. BROWNE. Well, in any of the statements made there isn't any apology is there—in any of the written statements you have got there?

Mr. MENKEN. No, not at that time.

Mr. BROWNE. Is there now?

Mr. MENKEN. No, I don't know. I haven't analyzed the thing. I went out to get the facts, and proceeded to attend to the next piece of work I had on hand, and tried to forget about it.

Mr. BROWNE. Now, how do you reconcile, Mr. Menken, your statement that you have just given with the statement you made to the Chicago Tribune when you returned from Madison after you made your investigation and talked with all these professors that you talked to when you said—I am reading from the Chicago Tribune of May 13, 1918:

> Prof. McElroy's ire was particularly aroused, according to Mr. Menken, when the audience showed reticence during the reading of the war message of the President. Thereupon he said, "Any man who does not in all things subscribe fully to these sentiments expressed by President Wilson is a traitor, not only to his country, but to all humanity." That, says Mr. Menken, the audience took to mean a generalization, while Prof. McElroy, laboring under a great strain, because of an arduous campaign, and annoyed at the restlessness in the hall, intended it as a personal jibe at his hearers. Because there was no resentment expressed, Prof. McElroy leaped at the conclusion that the university students had not sufficient courage to resent an imputation upon their loyalty, and so expressed himself in the East. When the exact facts are explained, upon Mr. Menken's arrival in New York, he said he thought Prof. McElroy would issue a statement admitting his conception of the attitude of the university students, and requesting the episode in its entirety.

He never made any such explanation, did he?

Mr. MENKEN. He could not, very well.

Mr. BROWNE. And you made that statement to the Chicago Tribune when the matter was very fresh in your own mind?

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Mr. MENKEN. I think my two statements are absolutely consistent.

Mr. BROWNE. Did you receive any letters from the executive head of your committee in Wisconsin, Mr. Zaner, about this?

Mr. MENKEN. I believe I did get one.

Mr. BROWNE. Did he ask for the removal of Dr. McElroy?

Mr. MENKEN. I don't remember.

Mr. BROWNE. You had protests not only from the University of Wisconsin, but from all over the country, didn't you?

Mr. MENKEN. Only for one reason.

Mr. BROWNE. Now do you think a man that would make a statement as Dr. McElroy says he made in his interview, is a fit man to go about the country educating the youth of this land in patriotism?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. Do you think he is a proper man, with a temperament that would qualify him to help weed out the disloyal college professors in universities?

Mr. MENKEN. Yes. Any one can make one mistake.

Mr. BROWNE. You think, in other words, he is a very unprejudiced person, and has a judicial temperament, so that he could judge whether a professor was disloyal or not—sit upon his case?

Mr. MENKEN. Oh, he was worn and tired at that time. He had had a terrible tour, and the conditions there were aggravating, and the students misbehaved, and he misinterpreted this thing.

Mr. BROWNE. Well, don't you think that a man who did misinterpret a matter like that would want to rectify that at the very earliest possible time in the public press?

Mr. MENKEN. If he had been approached in a temperate way, and the thing—I think this—I might as well say it: I think he made an error in misjudging the men and losing his temper there. I think he made a mistake in thinking about it when he came East. On the other hand, when he had come to the league for nothing——

Mr. BROWNE (interposing). He what?

Mr. MENKEN. He came to the league without compensation. He had worked himself sick, almost, on the work of the league as a volunteer. His services for which he was paid were not his services alone, but the services and those of Mrs. McElroy, who spent night and day on the work. They traveled all over the country. He had made speeches for 23 or 24 days under most trying circumstances, two a day—three a day—and he was worn out, and I understood it. We are all human, and he was doing a great work. He had a great knowledge——

Mr. BROWNE (interposing). Would that justify him in not, as I said in my question that I put to you, in not issuing a statement that he had done those students and the University of Wisconsin a grievous wrong?

Mr. MENKEN. I want to say this, the way they came at him made it very difficult.

Mr. BROWNE. Who came at him?

Mr. MENKEN. The university in the attack.

Mr. BROWNE. They came at him in this little pamphlet?

Mr. MENKEN. No; they made application for his removal forthwith, to Princeton. They made application to the Security League.

Mr. BROWNE. Who *made application*?

Mr. MENKEN. The university did.

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Mr. BROWNE. Well, who do you mean by "the university," the students?

Mr. MENKEN. The president. The first communication was, I believe, from Judge Winslow. And then the vice of the whole situation was this: The thing was framed up evidently, with a great deal of skill and power, to portray the league as making an attack on the patriotism of Wisconsin and the West. That was the thing that worried us, because we knew the great patriotism of the West, and we had been working with it: they had been our first, our strongest cooperators, and the first letter we got was on April 22——

Mr. BROWNE (interposing). Who was that from?

Mr. MENKEN. From the Hon. Justice Winslow. It was addressed to me, and he said:

Your speaker, Prof. McElroy, is spreading through the East most false and baseless slanders on the university of this State. I am going to ask you if the league indorses his utterances. If it does, I want to assure you that it is aiding a monstrous calumny and doing more harm than it can undo if it labors for a dozen years. I think you know my proven loyalty, and I think you also know that I am not given to speaking without undue reflection and what I say in this letter I say with deliberation and with knowledge of the facts.

Mr. BROWNE. Have you read it all?

Mr. MENKEN (reading):

Yours, very truly, John B. Winslow.

Mr. BROWNE. Did you read all the letter?

Mr. MENKEN. Yes. And I immediately got in touch with Judge Winslow. We wanted to cure the thing with all our power, and Prof. McElroy wanted us to do it, and when we told him that those men were men in the Army uniform, Prof. McElroy said spontaneously, "If that is true, I shall apologize, no matter what they did. I owe them an apology no matter what their conduct was."

Mr. BROWNE. Now, when he found that they were simply in the student militia there under the United States officer, you think he was justified in not making an apology, do you?

Mr. MENKEN. No, but there was a psychological reaction on his part, because I had brought him that message that they were men in the uniform of the Army.

Mr. BROWNE. Now, there isn't anything in Judge Winslow's letter there, is there, that would prevent Dr. McElroy from righting a wrong that he had perpetrated to the University of Wisconsin?

Mr. MENKEN. No, but when a man calls you a liar, no matter what language he puts in it, it is not inducive to a backdown if you have got any red blood, and they had put him in that position, either if he was a liar or if he was not a liar, and I came to the conclusion that he did not lie, taking my definition of a liar, the deliberate mistinterpretation of a fact and having that—putting him in that position, the alternative was a very difficult one. I think the thing was very badly handled all around. I think it was a great mess.

Mr. BROWNE. Well, there were a great many students there in that building that he ought to have known—in fact, all the students there didn't speak to him about this matter. The faculty spoke to him in their communication, and if he had done the student body, over 2,000 young men, a great injustice, don't you think he ought to *have made it right?*

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Mr. MENKEN. Not after they burnt him in effigy, no. I think had gotten by the ordinary amenities——

Mr. BROWNE (interposing). So that is the reason, is it?

Mr. MENKEN. I don't think there is any reason in a thing like this, ne of those miserable little things that was very unfortunate, and want to say this——

Mr. BROWNE (interposing). Well, I am getting at the question——

Mr. MENKEN (interposing). The statement that we tried to cure ——and I want to say this, Mr. Brandenburg's editorial that I re-erred to, showing that he believed the National Security League as helping, shows exactly the attitude out there that we had. We ried to cure it.

Mr. BROWNE. Don't you think a good way to cure that matter ould have been to have gotten rid of Dr. McElroy?

Mr. MENKEN. No.

Mr. BROWNE. Well now, what I want to find out——

Mr. MENKEN (interposing). We would not have gotten a perfect nan, no matter how far we had searched.

Mr. BROWNE. Now, do you think that a man that did as Robert McNutt McElroy did, according to his own statement—the evidence here—is a fit man to be in the responsible position you placed him in?

Mr. MENKEN. Just as fit as the president of the university that maintains La Follette's picture in the halls of his university.

Mr. BROWNE. I am not asking you to compare that.

Mr. MENKEN. You can't get a perfect man.

Mr. BROWNE. I am asking you questions about the qualifications of Dr. McElroy, who is on trial as one of the leading spirits in the National Security League.

Mr. MENKEN. I do. I think he is perfectly fit, and doing a great educational service, which has been repeatedly recognized in all parts of the country by all sorts of people.

Mr. BROWNE. Don't you think a little different spirit was manifested when they really thought that you, as president of the league, because you made the interview that you made in the paper regarding Mr. Hearst—a matter of that kind—that you couldn't be as useful to the National Security League after that time, and so you resigned; don't you think that was a good deal smaller matter than the matter against Dr. McElroy?

Mr. MENKEN. I have no yardsticks to measure those things with.

Mr. BROWNE. If you were asked to pick out the man that was the most important man for the National Security League, whom would you pick out in the league, as a member of the league, an active worker?

Mr. MENKEN. Why, the president of the league, Mr. Lydecker.

Mr. BROWNE. Where would you place Dr. McElroy?

Mr. MENKEN. I would place him—it is pretty hard—I would place him among the most important factors in the management of the league.

Mr. BROWNE. He shapes its policies, does he not.

Mr. MENKEN. He does not. The executive committee shapes every policy of the league.

Mr. BROWNE. Well, he is a member of the executive committee?

Mr. MENKEN. But he don't run it.

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Mr. BROWNE. He is always there, isn't he?

Mr. MENKEN. He is very faithful in attending, and we differ or agree with him as we see fit.

Mr. BROWNE. You say he worked for nothing awhile?

Mr. MENKEN. Yes, sir.

Mr. BROWNE. How many months did he work for nothing?

Mr. MENKEN. I should say about four months.

Mr. BROWNE. And that was from what time?

Mr. MENKEN. Some time in June to October.

Mr. BROWNE. 1915?

Mr. MENKEN. 1916, I think it was.

Mr. BROWNE. And did he mistrust, during that time, that he was going to get double the amount that he was getting at Princeton?

Mr. MENKEN. He never did get double compensation.

Mr. BROWNE. He got $10,000, didn't he.

Mr. MENKEN. That is not double compensation. I tried to bring out the facts, but you wouldn't let me.

Mr. BROWNE. He got $5,000 salary at Princeton, didn't he?

Mr. MENKEN. But that is not all he got.

Mr. BROWNE. What else did he get?

Mr. MENKEN. A college professor, head of a department——

Mr. BROWNE (interposing). I am not asking about college professors; I am asking what, if you know, Dr. McElroy got besides $5,00 at Princeton?

Mr. MENKEN. If you don't want me to prove the fact of his earnings—it was the question of our taking his earning—it was the question of our taking his earning capacity.

Mr. BROWNE. I am not taking—I am taking what he got as salary from Princeton.

Mr. MENKEN. That was not the test. He was offered $18,000 a year when he came to the league.

Mr. BROWNE. I am not asking that. I am asking what he got.

Mr. MENKEN. I understood he got $5,000 and an honorarium for lecturing in other places, which came to about $2,500 or more. He refused $18,000 a year on a three year contract as educational advisor to the Chinese Government in order to come to the league.

Mr. BROWNE. To go over in China and educate them?

Mr. MENKEN. Yes.

Mr. BROWNE. I think he would be more adapted to that, maybe, than he would in this country. [Laughter.]

Mr. MENKEN. I am unable to testify as to that. He had been there for a year, though, on that contract.

Mr. BROWNE. He got all his expenses paid when he went around through the United States, lecturing, didn't he?

Mr. MENKEN. In both instances, I understand.

Mr. BROWNE. For the league?

Mr. MENKEN. Yes.

Mr. BROWNE. If he took his wife with him, she got her expenses, didn't she?

Mr. MENKEN. No.

Mr. BROWNE. She didn't get her expenses?

Mr. MENKEN. No, sir. I believe on one or two occasions——

Mr. BROWNE (interposing). Is Dr. McElroy a man of family, besides his wife?

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Mr. MENKEN. Yes, he has some children. He reckoned out how much his wife's expenses were and gave his check for his wife's expenses.

Mr. BROWNE. Now, tell me just what Prof. Hobbs—what he does; what his duties are.

Mr. MENKEN. He is simply a member of the executive committee, and a member of the committee on education, I think—no, he is not a member of the committee on education now. He was at one time.

Mr. BROWNE. When was he?

Mr. MENKEN. Well, in the other stages, when Prof. Hart was chairman, I think he was. He has always been very active.

Mr. BROWNE. Is Prof. Van Tyne a member of the executive committee?

Mr. MENKEN. I don't think he is a member of the educational committee now; only the executive committee.

Mr. BROWNE. Do you know why these men were taken off of the educational committee?

Mr. MENKEN. Yes.

Mr. BROWNE. Why?

Mr. MENKEN. We wanted to have a group of men that we could get hold of with a little more readiness, so as to have control by the committee of the sessions and not have too many absent. I see Gov. Allen of Kansas stayed on the committee.

Mr. BROWNE. Well, he didn't attend those meetings, did he?

Mr. MENKEN. I think he did. I did not attend those meetings. I simply could not. I have got other things to do. Of course, he has been abroad, you know, for some time.

Mr. BROWNE. You saw repeated statements, didn't you, from Prof. Hobbs in regard to President Wilson?

Mr. MENKEN. No; I can not say I did. You read me one, which was perhaps the first I had heard.

Mr. BROWNE. Haven't you seen them in the papers?

Mr. MENKEN. No.

Mr. BROWNE. You didn't know that he was very antagonistic to President Wilson, to most of President Wilson's policies?

Mr. MENKEN. No.

Mr. BROWNE. You never heard of that before I read you that statement?

Mr. MENKEN. I don't think I did.

Mr. BROWNE. Now, do you think that an organization, a national organization professing to do what the National Security League is attempting to do, ought to have a man on its executive committee and advising with it that made an attack on President Wilson after he had started to Europe on the great mission that he has gone to Europe for?

Mr. MENKEN. Why, I answered that question once.

Mr. BROWNE. How did you answer it?

Mr. MENKEN. I simply said that I thought that every man was free to speak as he felt like.

Mr. BROWNE. Well, do you think that now——

Mr. MENKEN (interposing). I also said to you that the league, however, made it a rule since the beginning of the war to allow no

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criticism to be made through it of either the President, his Secretary of War, or the Secretary of the Navy, and we have been very particular about that, because we felt that criticism would be misconstrued.

Mr. BROWNE. Is this man, Prof. Hobbs, adhering to that?

Mr. MENKEN. We don't muzzle or censor our hundred thousand members.

Mr. BROWNE. I know, but he is on your executive committee, and has been on your educational committee?

Mr. MENKEN. I know Gov. Allen made a speech yesterday, a very bitter attack—he is on the educational committee, too. I read it in the Washington Post to-day. We don't intend to take him off because he did it.

Mr. BROWNE. When a man speaks at meetings conducted under the auspices of the National Security League and makes statements about the President when the President is over in Europe, that will tend to lessen his influence there very greatly, do you think such men should be kept and allowed to speak for the National Security League?

Mr. MENKEN. I think if the National Security attempts to muzzle the men who speak at their many branches it might as well go out of business. It would be unworthy of being an American body.

Mr. BROWNE. Now, don't you think that freedom of speech degenerates into license when a man makes a statement like this, purported to have been made by Prof. Hobbs, as appeared in the papers:

He declared that if we were going abroad to dominate, we should have a record of sacrifice, and that the original 100,000 casualties have been raised to 236,000 to make a better showing.

Now, that is an absolutely false statement, isn't it?

Mr. MENKEN. Why, I can not speak on knowledge. I told you before that I did not approve of the statement. I thought it was unwise.

Mr. BROWNE. Well, you know that there were more than 100,000 casualties. You know we have not padded out the casualty list so that our President would have more influence over in Europe, don't you?

Mr. MENKEN. I presume your statement is correct, sir, in every detail.

Mr. BROWNE. Well, is a man justified, and can you afford—or your league afford—to have him in there as one of the instructors of the youth of this country when he goes out and speaks that way to the people?

Mr. MENKEN. May I answer you?

Mr. BROWNE. Yes.

Mr. MENKEN. You can't take the utterances of any frequent public speaker without getting some statement in it which upon congressional cross-examination would not be subject to attack. I don't care how great the man is, you analyze all the statements made in a series of 50 or 100 speeches—and Prof. Hobbs is a frequent speaker—and you will find something that the critics can reprobate, and the fact that a man makes one or two or half a dozen statements would not be of any probitive force as to his general ability, if I knew the man to be a red-blooded American having but one interest, as Hobbs has, that is, America first.

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Mr. BROWNE. Well, don't that look as if he had more of England's welfare at stake than he has of this country?

Mr. MENKEN. Well, anybody who knew Prof. Hobbs's record in Wisconsin, where he lived for most of his life, at the University; or at the University of Michigan, or knew how the men speak and feel about him, would know that Hobbs could not do an unpatriotic thing.

Mr. BROWNE. I would just call your attention to this for just a moment and see whether you think anything would justify a man at this time in making a statement about the President of the United States and the Commander in Chief of the Army. Now he is reported in this speech to have said this:

> Even our one great feat of transportation of men was not accomplished by the administration, but by the French and British ships which transported 60 per cent of the American soldiers to Europe.

Then he adds:

> It is inconceivable that the premiers have invited Wilson, as they are opposed to his pro-German program.

Now is there any justification in making a statement of that kind when the President of the United States is over in Europe trying to accomplish as much as he can for not only the people of the United States, but the people of the world?

Mr. MENKEN. You know in a great country like ours there are many minds on many subjects, and I don't want to be drawn into that criticism, and I think there is wisdom in silence at the present time, strengthening the presidential hands in every way we can, and some of us are reserving our criticism till peace is declared and the President gets through his work, and others talk now. One man may have one idea of his duty, and I may have another.

Mr. BROWNE. Well, is that a fair statement, and can it do any good in any way, after the President is over there?

Mr. MENKEN. It can not do very much harm, because the allies know exactly what we have done. It was a good deal like the charge of lack of patriotism in saying how few mobile troops we had. We were traitors if we announced the fact that we only had 29,000 troops. I got an anonymous letter threatening me. The Germans know how many men we have; the allies know how many men we have transported; they know how many they have transported, and there is no use putting your head in the sand and concealing the fact.

Mr. BROWNE. You don't justify the statement, yourself, of that kind?

Mr. MENKEN. The wisdom of it does not appeal to me.

Mr. BROWNE. Well, would you want to say that the President's program abroad, as he has given it, is a pro-German program?

Mr. MENKEN. I don't know what his program is.

Mr. BROWNE. Well, you have seen it in the papers?

Mr. MENKEN. I still can not make out what it is.

Mr. BROWNE. What?

Mr. MENKEN. I still don't understand what it is.

Mr. BROWNE. Then if you don't understand what it is you wouldn't want to brand it as pro-German, would you?

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Mr. MENKEN. No; I would not brand anything the President did as pro-German.

Mr. BROWNE. Don't you think that is a monstrous charge to make against the Commander in Chief of the Army and Navy?

Mr. MENKEN. I think it is more monstrous if a man believes it his duty to say something and remains silent.

Mr. BROWNE. Well, now, a man that believed it his duty to make the statement that I have just read here, that is purported to have been made by Prof. Hobbs, of Michigan, would you think that could be justified in any way—such a statement?

Mr. MENKEN. Well, there is a foundation of truth about the transportation, as you know.

Mr. BROWNE. I am saying this last statement particularly—"it is inconceivable that the premiers have invited Wilson"—not even calling him President—"as they are opposed to his pro-German program."

Mr. MENKEN. I told you I think it is a very ill-advised statement. I can not say more.

Mr. BROWNE. Well, now, do you think that a university or the National Security League ought to let a man go out as spokesman for them that is so unbalanced that he makes public statements of that kind?

Mr. MENKEN. I think that the National Security League should give a free forum to any man of unquestioned patriotism to express his own ideas; that in the conflict of ideas we are going to get development and truth.

Mr. BROWNE. Wouldn't that be a violation of the espionage act, in your mind—a statement of that kind?

Mr. MENKEN. I don't know. The only way I can interpret a statute is with the statute before me, Congressman.

Mr. BROWNE. That certainly would not aid the President's influence abroad, if such statements as that were made.

Mr. MENKEN. I don't think it would detract any either.

Mr. BROWNE. And circulated over there?

Mr. MENKEN. No; but it won't detract any either.

Mr. BROWNE. Do you know anything about the League for National Unity, of No. 1 Madison Avenue, New York?

Mr. MENKEN. Yes; I have heard of it.

Mr. BROWNE. Does that have for its purpose about the same objects as this league?

Mr. MENKEN. No; that was formed at the request of some men in the administration, by Mr. Ralph Easley, and has confined itself to preparing utterances on a few important questions from time to time. Mr. Easley has been working in association with Mr. Gompers in connection with that, I believe.

Mr. BROWNE. Are you a member of that league, that society, the League for National Unity?

Mr. MENKEN. I don't think so.

Mr. BROWNE. Do you know anything about the American Defense Society, 44 East Twenty-third Street, New York?

Mr. MENKEN. A little bit.

Mr. BROWNE. Are you a member of that?

Mr. MENKEN. I once joined it for a year, or something of that kind.

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Mr. BROWNE. What did that have for its purposes?

Mr. MENKEN. That was formed by a few clerks of the National Security League who thought that they should have an organization of their own when our executive committee did not support some of their policies. I believe their particular charge was that we were too much proadministration. That was their attack on us.

Mr. BROWNE. Most of these patriotic societies have their origin and offices pretty close to Wall Street, don't they?

Mr. MENKEN. I have never observed it, whatsoever.

Mr. BROWNE. I don't know whether you stated yet, or if you have, I have not understood you—who were the members of the committee that got up the chart that has been sent out?

Mr. MENKEN. I told you I thought it was Mr. Orth, Mr. Lloyd Taylor, and Mr. West. That is all.

Mr. BROWNE. Did Dr. McElroy have anything to do with it?

Mr. MENKEN. I don't think he did.

Mr. BROWNE. They had exclusive control of that part of it, did they?

Mr. MENKEN. I think it was under their direction. Everything is subject, however, to the executive committee and the president of the league.

Mr. BROWNE. Well, you were a leading member of the executive committee, and you didn't say much, if anything, to it?

Mr. MENKEN. No; at that time I had resigned.

Mr. BROWNE. From the executive committee?

Mr. MENKEN. No; but from the presidency.

Mr. BROWNE. But you were a leading member, I say, of the executive committee?

Mr. MENKEN. Why, I don't know that I was any more than any other member.

Mr. BROWNE. You didn't pay any attention to the chart at all, did you?

Mr. MENKEN. Not till after it was issued, sir. About the time the senatorial chart was issued the matter came up in the executive committee.

Mr. BROWNE. One of your large contributors was Eversly Childs. Is he a member of the executive committee?

Mr. MENKEN. No.

Mr. BROWNE. Does he hold any office in the league?

Mr. MENKEN. No.

Mr. BROWNE. He was the chairman of the committee that expended $2,000,000 in the mayoralty contest in 1918, the spring of 1918, wasn't he?

Mr. MENKEN. No, sir.

Mr. BROWNE. He did not. He was on that committee?

Mr. MENKEN. I think not, sir.

Mr. BROWNE. Were there any of the Childs that contributed here to the National Security League on that committee?

Mr. MENKEN. I think Mr. William Hamlin Childs was on the mayor's committee that worked to reelect Mayor Mitchell, and spent his money trying to give us an honest capable man.

Mr. BROWNE. How much has he contributed?

Mr. MENKEN. I imagine about $1,500 or $2,000, over four years.

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Mr. BROWNE. And is he related to the other Childs that I mentioned?

Mr. MENKEN. I believe they have some kinship—cousins, or something of that kind.

Mr. BROWNE. Are they in the same firm?

Mr. MENKEN. They are associated in business.

Mr. BROWNE. The same business address, all of them?

Mr. MENKEN. The same building; yes.

Mr. BROWNE. Together the Childs contributed something like $40,000.

Mr. MENKEN. No, sir; about $7,500.

Mr. BROWN. Was William Childs indicted by the grand jury for the part he took in that campaign in disbursing moneys?

Mr. MENKEN. Yes, and the indictment was entirely quashed.

Mr. BROWNE. It was?

Mr. MENKEN. Mr. Childs is one of our foremost citizens, head of the merchants' association in many of its movements and honored above all men in New York City.

Mr. BROWN. What is his corporation interested in?

Mr. MENKEN. Well, the one that I recall is Bon Ami soap, more than anything else.

Mr. BROWNE. What?

Mr. MENKEN. Bon Ami soap.

Mr. BROWN. He is a director in a great many corporations, isn't he?

Mr. MENKEN. I don't know. He is in a great many charities and public movements.

Mr. BROWNE. Well, I meant business corporations. That is all I have.

Mr. HARRISON. Mr. Menken, I am going to ask you a few questions now. To summarize your testimony, to get some matters straight in my own mind.

I understand from your testimony that the organization of this league was conceived by you while you were in London in 1914?

Mr. MENKEN. Not of the league. The need of doing something was brought out.

Mr. HARRISON. Then——

Mr. MENKEN (interposing). That was in 1914.

Mr. HARRISON. Then you consulted certain attorneys and some other friends, but mostly attorneys.

Mr. MENKEN. The first I consulted was Congressman Gardiner, then after he said he thought an organization was necessary or would be helpful to him, then I consulted people who pretended to be my friends, and of course I know more lawyers than anything else, being a lawyer.

Mr. HARRISON. Now among those men whom you consulted were Mr. Barry, an attorney of New York City; Mr. Coudert, an attorney of New York City; Mr. Allen, an attorney—I believe he is of New York City—Mr. Miller, an attorney of New York City.

Mr. MENKEN. No.

Mr. HARRISON. Well, your testimony——

Mr. MENKEN (interposing). He was right after that.

Mr. HARRISON. Mr. Wainwright, an attorney of New York City, and in addition to those, I believe you said Mr. Brown, who was a

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lient of yours; Mr. Church of the Army and Navy Journal; Mr. Dix, secretary of the Mutual Life Insurance Co., and a Mr. White, n engineer and contractor. Those were most of the men you consulted before the organization of the league?

Mr. MENKEN. No, I should like to put in among the three, you ıave left out Col. Lydecker, and you have left out Mr. Lawrence Abbott, editor of the Outlook; and Mr. George Haven Putnam, the publisher. Those were before I consulted with Mr. White.

Mr. HARRISON. Now in the organization of it, you discussed, of course, the question of preparedness, and the question of universal military training?

Mr. MENKEN. No, we did not discuss universal training so early.

Mr. HARRISON. Not at that time?

Mr. MENKEN. No; not till long afterwards.

Mr. HARRISON. Now, the way you were going to raise your funds in your conferences with these various attorneys and the clients of the other attorneys was that the attorneys of the various clients, or men who were friendly to these various fellows whom you thought might contribute to the league—they were to see them?

Mr. MENKEN. No.

Mr. HARRISON. For instance, Mr. Choate, after he entered the organization, he was to get some money from some of the men who were friendly to him?

Mr. MENKEN. No; nothing was ever said about money at all.

Mr. HARRISON. But afterwards you needed the money you say, and you would designate—not particularly you, but the organization incorporated—would designate those attorneys or those friends who were close to the men whom you thought might contribute, to go and ask them for it, wouldn't you?

Mr. MENKEN. No, we appointed—when we began we had no idea of how big this thing was going to be, whether we would need any money at all, and the first thing was a man named Abbott, Willis J. Abbott, sent in a dollar, an editor of one of the newspaper in New York—and said he wanted to be the first member. We then held a meeting the 8th of December, and we provided for different classes of members, and then we had a membership committee formed, and then we sent out through the mail—we took probably ten or twenty thousand names, and I think the initial expense—it don't amount to much—four or five hundred dollars, and I said, "I will stand for it," and we sent out a general call for funds. We didn't ask these men to ask anybody among their friends.

Mr. HARRISON. I understood you to say that Mr. Brown, your client, in company with you. I believe—I may be mistaken about that—went to see Mr. Choate to interest him.

Mr. MENKEN. No; Mr. Brown did not go. Gen. Green was the name I mentioned.

Mr. HARRISON. Gen. Green?

Mr. MENKEN. I think he and I went together.

Mr. HARRISON. Now, Mr. Green was your client?

Mr. MENKEN. I am sorry to say he was not.

Mr. HARRISON. Mr. Choate was Mr. Green's attorney?

Mr. MENKEN. I don't think he ever was.

Mr. HARRISON. Who represented Mr. Green?

Mr. MENKEN. I have no idea.

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Mr. HARRISON. Mr. Green was the gentleman who owned quite large interests at Niagara Falls?

Mr. MENKEN. Yes.

Mr. HARRISON. Power companies?

Mr. MENKEN. I have heard such a statement. Somebody told me so here—one of you gentlemen, I think. He took very little interest in the league after he got Mr. Choate into it.

Mr. HARRISON. I recall several years ago I was on a committee that Mr. Green appeared before, and he was largely interested in water-power development at Niagara Falls?

Mr. MENKEN. Of course, he had spent his life in military affairs.

Mr. HARRISON. I understand. You saw, though, presently, after you had sent out these slips, that you would need some large contributions, and then naturally you got those men who were interested in your movement, who were friendly to men whom you thought would contribute, to go to them and ask for the subscriptions, didn't you?

Mr. MENKEN. No; that is not really true.

Mr. HARRISON. Well, you wouldn't get men who were unfriendly to those parties, would you?

Mr. MENKEN. I went after $9 of every $10 that was contributed to the league. I went after it personally. For instance, we sent out a blank to a man like Mr. Mackay, and he wrote in that as an American he heartily approved it, and I think he sent in $2,500, without any request whatsoever. I remember Mr. Brown—no; Mr. Clark, J. Severance Clark—sent in $5,000 without our asking.

Mr. HARRISON. And nobody asked him for it?

Mr. MENKEN. He got our literature.

Mr. HARRISON. Are you sure now, though, that no one personally requested him to do it?

Mr. MENKEN. I don't think so.

Mr. HARRISON. Mr. Choate is shown in the record here as having subscribed a good deal of money.

Mr. MENKEN. $9,000 or $10,000.

Mr. HARRISON. As a "friend" or "anonymous."

Mr. MENKEN. $4,000 or $5,000 in the beginning, and then $5,000 personally.

Mr. HARRISON. You don't know from whom this money was procured?

Mr. MENKEN. Mr. Choate left many millions, you know.

Mr. HARRISON. I understand.

Mr. MENKEN. I think he gave it himself.

Mr. HARRISON. Do you think this money that he subscribed just as a friend or anonymously, that he himself gave it?

Mr. MENKEN. Yes.

Mr. HARRISON. You wouldn't state that as a fact?

Mr. MENKEN. I did. I said I always admired him for his modesty about it and the charming way—he was a man of 84 or 85 years of age, and he was not in practice. He had no clients.

Mr. HARRISON. You know, as a practical business man and a good lawyer, that when a gentleman subscribes money for a movement like this, in his own name in many instances and in other cases *anonymously*, who has many clients, that he would naturally infer

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at that money was donated to him to be subscribed by some of his iends or clients?

Mr. MENKEN. Mr. Choate had no clients.

Mr. HARRISON. But that would be the natural inference, wouldn't ?

Mr. MENKEN. No; I don't think so. We lawyers give. Now, you ike Paul Cravath; he gave us $7,500. He could well afford to do it. t was nothing to him, and he gave it for a specific purpose. We nt out a book called "Out of Thine Own Mouth."

Mr. HARRISON. Now, let us get right down to the facts. Mr. oudert represented certain Russian interests?

Mr. MENKEN. I believe so.

Mr. HARRISON. He is an international lawyer?

Mr. MENKEN. Yes.

Mr. HARRISON. He represented some French interests, did he not?

Mr. MENKEN. Yes.

Mr. HARRISON. Also some English interests?

Mr. MENKEN. Possibly.

Mr. HARRISON. Maybe some Italian interests?

Mr. MENKEN. Very likely.

Mr. MARRISON. Yes; and he subscribed money?

Mr. MENKEN. He did not. I think he gave $25.

Mr. HARRISON. Well, he subscribed—he contributed to the organiation?

Mr. MENKEN. I think he gave $25.

Mr. HARRISON. Yes. Now, you had clients such as the London, iverpool & Globe Insurance Co., did you not?

Mr. MENKEN. Yes.

Mr. HARRISON. You represented their firm, the Redmond Co., rge banking and railroad interests with interests to some extent in oreign loans, did you not?

Mr. MENKEN. I do not think they have.

Mr. HARRISON. You do not think they have? Would you say they ere not?

Mr. MENKEN. They are an international house.

Mr. HARRISON. You did represent some concerns that were represented in the manufacture of munitions?

Mr. MENKEN. We did not.

Mr. HARRISON. But represented some estates.

Mr. MENKEN. A great many estates.

Mr. HARRISON. You represented Mr. Greene, did you not?

Mr. MENKEN. Never in my life.

Mr. HARRISON. You did not? You did represent some very large tates, I understand.

Mr. MENKEN. Moderately large—a few millions.

Mr. HARRISON. I see. Now, Mr. Barry, who was an attorney ere, represented a great many shipping interests. He was a marine wyer was he not?

Mr. MENKEN. He has a very good practice. He represents one arine concern.

Mr. HARRISON. Yes; and Mr. Wainwright, is he a partner of Mr. arry?

Mr. MENKEN. Yes; and he spends all his time, or most of the *me, in the New York Legislature.* He was State senator.

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Mr. HARRISON. Now, in 1915, I believe it was December, the books will show that the auditors made a report. That is true, is it not?

Mr. MENKEN. We had a report made every three months.

Mr. HARRISON. Yes; the report that Mr. Johnson questioned you about?

Mr. MENKEN. Yes.

Mr. HARRISON. That was in December, 1915, was it not?

Mr. MENKEN. Yes.

Mr. HARRISON. Now, money was contributed—of course just refreshing your memory on that—by Mr. Rockefeller, and the Carnegie interests——

Mr. MENKEN (interposing). Carnegie was fighting this thing, you know, at that stage of the game.

Mr. HARRISON. Carnegie was fighting it?

Mr. MENKEN. Yes. He was backing the pacifists.

Mr. HARRISON. But the Carnegie Foundation was contributing to it.

Mr. MENKEN. They never contributed until late last year.

Mr. HARRISON. When was the first contribution made by the Carnegie Foundation?

Mr. MENKEN. A few months ago, six or eight months ago.

Mr. HARRISON. Can you give the exact date there?

Mr. MENKEN. About last April or May.

Mr. HARRISON. Yes; so they changed their mind about this proposition, did they?

Mr. MENKEN. It was a different proposition—it was a different crowd entirely. Mr. Carnegie had nothing to do with it.

Mr. HARRISON. The Vanderbilts, they contributed; the Biltmore interests contributed.

Mr. MENKEN. I do not know anything about the interests. We got a small contribution from Lamar and, of course, the Vanderbilts. The Vanderbilt family is so much in the Army it was only natural we should get something from them.

Mr. HARRISON. And the Du Ponts, they contributed?

Mr. MENKEN. The Du Ponts! That is a very deceptive statement.

Mr. HARRISON. There were two Du Ponts.

Mr. MENKEN. Congressmen, I want it right. If you say "Du Ponts," it carries to the public mind the impression that it was Du Pont the powder manufacturer, instead of the real estate operator, Col. Du Pont.

Mr. HARRISON. Related to the other Du Pont, is he not?

Mr. MENKEN. He is just as much apart as Sidney Harrison, the author, is from Senator Harrison, the legislator.

Mr. HARRISON. Sidney Harrison is no kin to me.

Mr. MENKEN. I understand.

Mr. HARRISON. But Col. Du Pont is kin to the Du Pont powder man.

Mr. MENKEN. But there was a fight of long standing between him and the powder man.

Mr. HARRISON. The Guggenheims contributed.

Mr. MENKEN. In a small way for their means.

Mr. HARRISON. Yes; but some.

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Mr. MENKEN. Oh, yes, sir.
Mr. HARRISON. The Remingtons.
Mr. MENKEN. Never a cent.
Mr. HARRISON. Not even to the extent of $25?
Mr. MENKEN. Oh, well, perhaps $25.
Mr. HARRISON. Well, that is some cents.
Mr. MENKEN. It is, and I apologize for my error.
Mr. HARRISON. Now, in this report, let us get to that. Did you instruct the auditors personally to report that no firms—to state in their report that no donations had been received from any persons interested in the manufacture or sale of munitions of war?
Mr. MENKEN. I think I asked the firm of Clark, Mitchell, Peate & Co., who were the auditors, to state that fact if they truthfully could do so.
Mr. HARRISON. If they could truthfully do so?
Mr. MENKEN. If they could do so from the facts.
Mr. HARRISON. You did that personally as president of the league?
Mr. MENKEN. Yes, sir.
Mr. HARRISON. Did you do that at the instance of the executive committee?
Mr. MENKEN. Why, I do not recall. I did it on account of Mr. Bryan's speech and the several charges that we were being supported by the munition makers.
Mr. HARRISON. At that time, had anybody charged you with having been organized by the people interested in the manufacture of munitions of war?
Mr. MENKEN. From the very first day the league was formed Mr. Oswald Garrison Villard, and his associates, who were actively supporting some pacifist league—I do not recall their name, they had to change their name about every month—charged that.
Mr. HARRISON. Charged that in the press?
Mr. MENKEN. Oh, yes.
Mr. HARRISON. Who were those people that did this?
Mr. MENKEN. Oswald Garrison Villard and his coterie—Bishop Greer and others.
Mr. HARRISON. Did Mr. Bryan—you say he charged it, too?
Mr. MENKEN. Oh, yes.
Mr. HARRISON. Have you any of those statements made by Mr. Bryan?
Mr. MENKEN. Yes, sir.
Mr. HARRISON. Have you them here with you?
Mr. MENKEN. I read it into the record.
Mr. HARRISON. When was that?
Mr. MENKEN. The first day I testified.
Mr. HARRISON. I mean, when was it charged by Mr. Bryan; when did he make that statement?
Mr. MENKEN. Very early in the history of the league. I can not state the exact date, but it was mentioned by me in answer to a question of Congressman Walsh. It is about page 4 of my statement. Mr. West, have you got a copy of that statement?
Mr. HARRISON. Well, it is in the record, then, and we can see it. But the charge was your league was being organized by the attorneys, or by certain interests which they represented, to promote the manufacture of munitions of war?

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Mr. MENKEN. Yes, sir; that is the charge that was made by all t pacifiists and pro-Germans all over the country.

Mr. HARRISON. And it was pretty generally charged over the co try that the league was being organized for that purpose?

Mr. MENKEN. Oh, yes.

Mr. HARRISON. And that was why you did not want to rec any contributions from any persons interested in the manufactur munitions?

Mr. MENKEN. That is the fact. From the very beginning we h refused to receive contributions from anyone interested in the m facture of munitions.

Mr. HARRISON. And so you notified the auditors to state in t reports that no donations had been received from any persons i ested in the manufacture or sale of munitions of war?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. And that no expenditure had been made for purpose other than to carry on the work of the league?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Did the auditors comply with that request?

Mr. MENKEN. I never spoke to them afterwards, and your r ing of the statement here was the first thing I knew of it. It completely out of my mind after I made this suggestion.

Mr. HARRISON. You read their report after they made it, d you?

Mr. MENKEN. Probably, but I have read so many other thin do not remember the details.

Mr. HARRISON. You were very much interested to know what books showed?

Mr. MENKEN. I do not know.

Mr. HARRISON. Whether persons who were interested in the m facture of munitions had contributed?

Mr. MENKEN. I was not. I knew we got no money that had taint on it.

Mr. HARRISON. You did not suggest that whether the fact was or not that they should make a report that no persons interest the manufacture of munitions had contributed to the league?

Mr. MENKEN. You could not have gotten very far with t auditors on that proposition.

Mr. HARRISON. I understand. You had no other idea tha have the auditors state the facts as they found them?

Mr. MENKEN. Surely not; that is why we picked those audito

Mr. HARRISON. But you did tell them to state in their report no persons interested in the manufacture or sale of munitions contributed to the league?

Mr. MENKEN. No, sir.

Mr. HARRISON. You did not state that to them?

Mr. MENKEN. I asked them to find that fact if they consiste could.

Mr. HARRISON. But their report did not state that.

Mr. MENKEN. Evidently not.

Mr. HARRISON. Yes; their report states this, and they evide stated it when it was fresh in their minds. You are stating it after three years, when you paid no attention to it. That is is it not?

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Mr. MENKEN. Yes.

Mr. HARRISON. You are willing to accept what they say in their report?

Mr. MENKEN. Unquestionably.

Mr. HARRISON. And they say that—

We have been asked to state that no donations have been received from any persons interested in the manufacture or sale of munitions of war.

You will accept that, then, as true?

Mr. HARRISON. Then you asked them to state that?

Mr. MENKEN. Yes.

Mr. HARRISON. Their report states this:

In reply we would say that so far as the disbursements are concerned all have been made for expenses such as would occur in the ordinary course of the league's business, but any statement with respect to the receipts must necessarily be confined to such facts as appear of record.

Mr. MENKEN. That is satisfactory.

Mr. HARRISON. Yes; but here answering your question they state further:

In this connection we would say that all of the contributions to the league appear to be genuine.

There was not any doubt about their being genuine was there?

Mr. MENKEN. No.

Mr. HARRISON (reading):

And that we know of no contributions that have been received from firms engaged in the sale and manufacture of war munitions.

In other words, in answer to your question for the auditors to state that no persons interested in the manufacture of munitions of war have contributed to your league they answer you back and say that they appear to be genuine, and no firms interested in the manufacture of war munitions have contributed to the league.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. They do not answer you then the question that no persons interested in the manufacture of war munitions have contributed to the league, do they?

Mr. MENKEN. I think your logic is conclusive.

Mr. HARRISON. Absolutely. Then you would infer that the report of the auditors was that the records showed that persons interested in the manufacture of munitions of war have contributed to your organization, would you not?

Mr. MENKEN. I do not think even the wildest flight of fancy would warrant that conclusion.

Mr. HARRISON. You do not think so?

Mr. MENKEN. No, sir.

Mr. HARRISON. Would not the inference be that while no firms had contributed, yet some persons had contributed who were interested in the manufacture of munitions of war?

Mr. MENKEN. No; I do not think so. I understand there are perhaps a million or more people interested in the United States Steel Corporation, because I have stock myself in the United States preferred, and bonds.

Mr. HARRISON. They could not state that no person, directly or indirectly, interested in the manufacture of munitions, had not con-

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tributed in that sense. Why did you ask them to state that, Mr. Menken?

Mr. MENKEN. Simply because I wanted as fair a statement as I could get.

Mr. HARRISON. Why did you not ask them to state "No firms"?

Mr. MENKEN. I do not recall. If I thought I was going to be questioned by you I would have.

Mr. HARRISON. I think you did. As a matter of fact they did not accept your invitation to state in their report that no person interested in the manufacture of munitions of war had contributed to the league, did they?

Mr. MENKEN. Evidently not.

Mr. HARRISON. No person contributing to your organization in large or small amounts were interested directly or indirectly in the manufacture of munitions of war?

Mr. MENKEN. I do not know of any.

Mr. HARRISON. Mr. Menken, did not you know that Mr. Greene—he was one of the prime movers of your proposition, was he not?

Mr. MENKEN. No; not after the call was issued.

Mr. HARRISON. Yes: that he was interested largely in the development of water power operating one of the biggest plants at Niagara Falls which was manufacturing or furnishing the power that manufactured carborundum and other things that went into war material and war munitions: that he was interested to some extent in them?

Mr. MENKEN. Well, now, as to Mr. Greene. After he took me to see Mr. Choate, he started out to get support for this league. He raised two or three hundred dollars for us, and then simply disappeared from the face of the earth so far as the Security League was concerned. I would meet him in the street occasionally, and he would ask me how things were getting along, but he took no active interest in the league, and he did not do the things that I had felt I had a right to expect he would do in the beginning, because he was so positive in his applause of our activities, and that is true of all these men who began. Many of them did not follow up the active work of the league like myself and Mr. Lydecker, and Mr. Barry, and Mr. Dix, and Mr. Fish, Mr. Spencer, Mr. Hastings, Mr. West—of course he was always at work continuously—they did not follow it up.

Mr. HARRISON. Do you know whether any of the organizers of your league procured any contributions from any source using the argument that it might benefit them personally or, directly or indirectly, the program of the United States?

Mr. MENKEN. I have never had any evidence whatsoever of it, and I want to say if I had I would have refused the money, and as proof of this I want to say that these men who have given money to the league and taken part are the men who have gone into the Army and given their bodies to their country.

Mr. HARRISON. Well, some of them have and some of them have not.

Mr. MENKEN. Almost without exception they have gone right in. Not only are they there themselves, but members of their families are there. There are 14 members of the family of E. H. Clark there, also members of Col. Vanderbilt's (now Gen. Vanderbilt's) family, and others have made sacrifices of home, friends, and everything in *order to serve their* country.

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Mr. HARRISON. I want to ask you about this chart. I think the record ought to show the reason why I asked you these questions. It is because there are probably some people in the country that believe this league might have been organized firstly by self-exploiters to exploit themselves and gain publicity.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. There may have been others who have thought it was to straddle upon this country a preparedness program.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Interesting those people who might be benefited from the manufacture of munitions.

Mr. MENKEN. We had to meet that all the way through.

Mr. HARRISON. There might be others who thought it was to straddle upon this country a universal military training or universal military service program. It may be that it was purely patriotic, and that is why I am asking you all these questions.

Mr. MENKEN. Well, sir, I want to convince you, and I believe I have, that that was the sole purpose, and that our views were correct and that everything we have professed and asked for has been proven true.

Mr. HARRISON. Now, you have tried in your testimony, I think, to be very fair, and you have retained splendid poise. If you have done anybody an injustice, so far as you yourself are concerned, you wish to remedy it.

Mr. MENKEN. Unquestionably.

Mr. HARRISON. You were not president of the league when the chart was made?

Mr. MENKEN. No, sir.

Mr. HARRISON. And you say you did not see it before it was issued?

Mr. MENKEN. No, sir.

Mr. HARRISON. But you have studied it since?

Mr. MENKEN. No, sir.

Mr. HARRISON. You have not seen it since?

Mr. MENKEN. I have seen it, but I have not studied it; I have been too busy.

Mr. HARRISON. I see. I want to ask you—in this chart there are eight propositions laid down as the eight principal preparedness and war measures.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Now, that chart was distributed all over the country, and in it the voter and those who read it are asked: "What are you going to do about it?" Do you think that chart should have been confined to those eight questions alone? You know what they were.

Mr. MENKEN. Yes; I know what they were. Why, of course, those were the preparedness votes. Six of those questions were the questions that the President said were the acid tests of a man's patriotism, and I think that, of course, you can not tell all the truth about a man no matter how you analyze his record. You have got to know the man, and no eight questions will analyze a man's record with absolute fairness; but the question was to present the man as right or wrong on what we believed to be the main preparedness issues. I answered you very fully about Congressman Fitzgerald.

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Mr. HARRISON. Let me ask you about No. 2. I will not ask about No. 1; that is the McLemore resolution on a motion to table it. No. 2 is the Kahn amendment to the Army bill which proposed to increase——

Mr. MENKEN (interposing). The Army from 140,000 to 178,000.

Mr. HARRISON. From 145,000 to 178,000 men. There was a difference of opinion among some of the members of the Military Affairs Committee lead by Mr. Hay.

Mr. MENKEN. Yes.

Mr. HARRISON. Mr. Hay wanted to increase the Army from——

Mr. MENKEN (interposing). About 90,000 to 140,000.

Mr. HARRISON. Mr. Kahn wanted to go to 178,000. Don't you think it would have been fair also to put another question there, giving the vote of those men who had increased the Army by voting for the Hay amendment practically 50,000, which would have allowed the people to see whether or not he would have voted to increase it by this 50,000, or would have increased it by 68,000 or 78,000?

Mr. MENKEN. Well, when I look back upon the development of previous opinion on preparedness questions I think it might have been.

Mr. HARRISON. It might have been. As a matter of fact, knowing what we know now, the increase to 178,000 or 250,000 was infinitesmal, was it not?

Mr. MENKEN. Both of them were picayune.

Mr. HARRISON. But at that time the increase which Mr. Hay suggested from 90,000 men to 140,000 men was a very good increase, don't you think? There were some who even voted against that, possibly, Mr. Menken, and others who thought that was enough increase at that time. Don't you think your chart should have shown that?

Mr. MENKEN. I wish we could have made the chart show clearly.

Mr. HARRISON. Do you not think it would have been fairer to Members of Congress if you had showed that?

Mr. MENKEN. I think it might; I think it might be.

Mr. HARRISON. Now, No. 3, the Brandeges amendment. Another question, No. 4, provided for a volunteer reserve Army. Don't you think it would have been fairer also to have given the vote on the question of Federalizing the National Guard, whether some members of Congress, and a majority, sought to bring into the Federal Government an Army that might be raised to 425,000; don't you think that vote ought to have been given in these various questions?

Mr. MENKEN. Well, it might have been done, but, of course, the men who adopted that policy will explain.

Mr. HARRISON. I understand; but I am asking you your opinion about that. Now, don't you think it would have been fairer to Members of Congress to have given the voters an opportunity to judge the man, to have included the federalization of the National Guard?

Mr. MENKEN. Congressman, though, here is the point: We were in a situation where the impetus for this campaign was not as to whether Democrats or Republicans were elected. Our interest was to have a Congress reelected that would be a win-the-war Congress from start to finish; a Congress that would deal with this character of problems of reconstruction that are going to try your very souls

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uring the next years, that would be able and alert, not alone patriotic, but skilled and powerful. A man who favored a military system based upon the 48 States controlling it did not have in many espects the qualities that we felt were necessary.

Mr. HARRISON. Now, that is your opinion about it, is it?

Mr. MENKEN. Unquestionably, that is our view.

Mr. HARRISON. Now, there were people in the country who thought hat by federalizing the National Guard so that the Army could be raised to 425,000, that that was increasing the Army enough.

Mr. MENKEN. I understand that. That was very patriotic.

Mr. HARRISON. Don't you think it would have been fairer to put hat vote in?

Mr. MENKEN. I wish we could have put 15 votes in there instead of 8.

Mr. HARRISON. That vote ought to have been included, don't you hink, in fairness?

Mr. MENKEN. It would have been fairer. You must lean backward when you are criticizing a man.

Mr. HARRISON. On the motion to recommit the naval appropriation bill, that vote is given and the vote on the passage of the bill is left out. Don't you think that was unfair?

Mr. MENKEN. Well, I think the issue was very clearly made. I want to say, though, that I have not analyzed these things. You can get that from Mr. Orth. You will find he will be able to give you an analysis, because he went into it very thoroughly. I have read everything Col. Lydecker has said, and have felt sympathetic for you, but I agree with what the colonel said entirely.

Mr. HARRISON. Absolutely. Don't you think, in view of the fact that that bill carried $90,000,000 more than the bill for the preceding year, as recommended by the Committee on Naval Affairs, that that vote ought to have been included?

Mr. MENKEN. I do not. The fact that it carried $90,000,000 or $900,000,000 had nothing to do with the case.

Mr. HARRISON. Now, you do not think that it is fair to a Member of Congress who voted, for instance, for the motion to recommit the bill—a motion that had not been considered by the committee, and it was defeated—and that vote was taken on the bill as recommended by the committee, that carried a $90,000,000—who voted against it—you think that that man stood for a greater preparedness than I do who may have voted for the $90,000,000 increase?

Mr. MENKEN. No, sir.

Mr. HARRISON. Now, upon the Cooper amendment, question No. 6, that was the amendment offered to the armed neutrality bill?

Mr. MENKEN. Yes.

Mr. HARRISON. Nothing is said about the vote that was taken on the passage of the armed neutrality bill. Don't you think that vote should have been included there?

Mr. MENKEN. I think that was one of the acid tests.

Mr. HARRISON. That was one of the acid-test votes, and you will recall that that is one of the measures that was defeated in the Senate by 12 men, and that the President said:

> A little group of willful men, knowing no opinion except their own, have held this country contemptible in the sight of the world.

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Mr. MENKEN. Yes, sir.

Mr. HARRISON. Then, you think that was a very important measure, don't you?

Mr. MENKEN. Yes.

Mr. HARRISON. Don't you think it would have been fairer to the Members of Congress who stood by the administration and the Government to have included that as one of the questions?

Mr. MENKEN. You must ask those questions of Mr. Orth. He went into those things very conscientiously.

Mr. HARRISON. Let us get down to the Kahn amendment to the Army bill. You put that as one of the questions there?

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Don't you think it would have been fairer, after putting question No. 8, to have also put the vote on the final passage of the bill?

Mr. MENKEN. Well, remember this: We were trying to show the quality of the men.

Mr. HARRISON. I understand.

Mr. MENKEN. And proof of the correctness of our vision is evidenced by the testimony of Gen. Crowder that without conscription we would never have won the war.

Mr. JOHNSON. What was that you said Gen. Crowder stated?

Mr. MENKEN. Gen. Crowder stated that the war could not have been won any other way except through conscription.

Mr. HARRISON. That statement appears in the morning papers.

Mr. JOHNSON. I did not read it that way.

Mr. HARRISON. Now, Mr. Menken, you said that after this congressional chart giving the votes of the Members of the House of Representatives had been issued that then there was a chart prepared of Senators.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. And the executive committee was then consulted?

Mr. MENKEN. Yes, sir; we had a session.

Mr. HARRISON. Yes. Now, is it not a fact that because some Members of Congress, or some one interested in your league, had come to the conclusion that the chart on the Members of the House of Representatives was a little unfair that they changed the questions touching the United States Senators?

Mr. MENKEN. I do not think that was it. They felt that if our designation of the Members of Congress had been wrong, and we had done them an injustice, we wanted to lean backward and be fair in our criticisms. That was all it was—simply a desire to please Members of Congress.

Mr. HARRISON. But you were convinced that some harm had been done or you would not have changed it, would you?

Mr. MENKEN. There was very little change.

Mr. HARRISON. You would change it to this extent, though?

Mr. MENKEN. I have not followed this very much, you know.

Mr. HARRISON. You changed it to this extent: On the chart of the House of Representatives you give the votes to recommit the naval appropriation bill, but you do not give it on the final passage of the naval appropriation bill. You have rectified that in the Senate chart and you put the vote on the passage of the naval appropriation bill.

Mr. MENKEN. Well, I know that: we did it.

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Mr. HARRISON. Now, you make this further change, too: In your House chart, question No. 8 is on the Kahn amendment to the Army bill. You give that vote, but you failed to give it on the passage of the bill. In the Senate chart you give it on the passage of the Army bill.

Mr. MENKEN. Well, it simply shows that when the league had—when people pointed out to the league the fact that they felt the thing should be done differently, why, we tried to be perfectly fair and open minded.

Mr. HARRISON. That is what I am trying to get at. Now, don't you think, in view of what has transpired and your knowledge of the situation to-day, that that chart does not embody all the questions that should have been propounded to show the true leanings of a man on preparedness and standing with the administration and the Government?

Mr. MENKEN. I should have done the thing a little differently.

Mr. HARRISON. And that does an injustice to various Members of Congress.

Mr. MENKEN. I do not think it tells all the truth about the men whom it puts down as voting wrong.

Mr. HARRISON. Yes; and as an ex-president and the organizer of the National Security League, if you had the thing to do over again now, knowing the facts as you do, you would have changed it?

Mr. MENKEN. And I would not have sent it out without consulting the Members of Congress so they could see what we were going to say about them.

Mr. JOHNSON. I believe you have this statement, Mr. Menken, these two terms, "right" and "wrong," which were used on the House chart were not just considered just exactly fair, and, in making up the Senate chart, instead of using the words "right" and "wrong" you used the letters "A" and "B" in lieu of those words.

Mr. MENKEN. You mean, I believe, "affirmative" and "negative."

Mr. JOHNSON. And that defines what "A" and "B" are?

Mr. MENKEN. I think that was done.

Mr. JOHNSON. In a circular which I have before me, which is not dated, but which is entitled "From The National Security League, 19 West Forty-fourth Street, New York City, E. L. Harvey, Publicity Director," a definition is given of "A" as follows: "Voted for preparedness or support of the war"; and the definition of "B" which you give, or the meaning of "B" which you give, is "Voted against preparedness or support of the war." When you put a man down on that chart with this explanation and say that he voted against the support of the war, is not that worse than to simply generalize and say that he voted "No"?

Mr. MENKEN. Well, you have got to be governed by the facts, if a man voted against the support of the war you have got to put his vote on the chart as he made it. What are you going to do about it? It is the man's fault, not the league's fault.

Mr. JOHNSON. But, I am asking you whether or not, by changing from the two words "right" and "wrong" and adopting the letters "A" and "B" and then setting out what "A" and "B" mean, you have not become more offensive in that than you were in the first words?

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Mr. MENKEN. We only meant to state the facts. If the facts were offensive, we couldn't help it.

Mr. JOHNSON. Then, do you mean to say that the first plan of yours, using the words "right" and "wrong" are not facts?

Mr. MENKEN. Certainly, they were facts at least, but they put them that way when we should have put it "affirmative" and "negative," and not characterize them as "right" or "wrong."

Mr. JOHNSON. I am not talking about the way you would put it; but about the way you did put it. You say it is put this way in this circular—"A" and "B"— because that is the fact. Now, then, why did you change if the other words "right" and "wrong" were facts—if the statement of the words "right" and "wrong" were really facts, why change from them?

Mr. MENKEN. I think, Mr. Congressman, you read that as if when you say "voted against preparedness or support of the war," as if that phrase "or support of the war" meant "and the support of the war." It is alternative. When you have a man down as "B" it means that he either was against preparedness or was in support of the war. I do not understand that it meant both at the same time. The reason that I objected to the use of the words "right" and "wrong" was that it prejudiced a man all the way through.

Mr. JOHNSON. It has been stated over and over again by you and by Col. Lydecker that the league was not participating in politics, yet you issued the circular, which I have just described by title, and which I now have in hand, and in that circular you speak of the approaching elections.

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. And you tell who the candidates are in that circular, do you not?

Mr. MENKEN. I presume so; I am not familiar with it.

Mr. JOHNSON. You are calling the attention of the public to the fact that there are approaching elections and who the candidates are in this circular, do you not?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. And you do not call that approaching an interference with politics at all?

Mr. MENKEN. No.

Mr. JOHNSON. Well, do you call it an interference in politics?

Mr. MENKEN. No.

Mr. JOHNSON. You do not call it a meddling with politics?

Mr. MENKEN. Every man that votes meddles with politics. I do not call it meddling.

Mr. JOHNSON. I am talking about your circular.

Mr. MENKEN. Politically, it means that we are interested in one.

Mr. JOHNSON. The league was not interested in politics one way or another.

Mr. MENKEN. I think it does not refer to politics. It is a science. Candidacy is not politics.

Mr. JOHNSON. That is splitting hairs. Now, the matter under the subtitle of interesting fights, as it does not in your opinion refer to politics, we will just pass it by wondering to what it does refer. But under that subheading "Interesting fights," I find this language:

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The Senatorial contests in the following States seem worthy of particular tice: In Illinois the present incumbent, Senator Lewis, is running against ngressman Medill McCormick.
In Kansas Gov. Capper is the Republican candidate against Senator Thompn, the present incumbent.
In Michigan the contest is between Commander Truman H. Newberry, United tates Navy, the Republican candidate, and Henry Ford.
In Missouri the Democratic candidate is ex-Gov. Joseph W. Folk.

If you consider under the head "Interesting fights" you are not nterfering or meddling in politics at all, but those were candidates, nd you give their political affiliation, do you not?

Mr. MENKEN. I did not notice it. I followed you on this before—what did you say?

Mr. JOHNSON. In Michigan the contest is between Commander Truman H. Newberry, United States Navy, the Republican candidate, and Henry Ford.

Mr. MENKEN. I do not think we had anything to do with politics there.

Mr. JOHNSON. When you say "In Illinois the present incumbent, Senator Lewis, is running against Medill McCormick," and that "In Kansas, Gov. Capper is the Republican candidate against Senator Thompson, the present incumbent," that that has no reference whatever to politics?

Mr. MENKEN. Not as I understand it.

Mr. JOHNSON. Then, it is a little curious why you say in the bottom of that, in the last paragraph under that subhead:

In Missouri the Democratic candidate is ex-Gov. Joseph W. Folk.

Was there no candidate in Missouri for the Senate except Gov. Folk?

Mr. MENKEN. I do not know.

Mr. JOHNSON. There must have been a Republican candidate. If you do not know it is all right.

Mr. MENKEN. There must have been his opponent, of course.

Mr. JOHNSON. If you are not meddling with politics, why do you say in this same circular under the title "Congressman Roberts":

In Nevada the Republican candidate against Senator Henderson is Congressman Roberts, against whom a strong fight is being made because he voted aganist tabling the McLemore resolution, in favor of the Cooper amendment prohibiting American ships to carry arms and ammunition, against the declaration of war, and against the Kahn amendment providing for selective conscription. The interest of the struggle in Nevada is further increased by the presence of a woman candidate, Annie Martin, the Socialist nominee.

I take it for granted that that paragraph in the circular was written with the view of not at all interfering with politics.

Mr. MENKEN. Of course, that is not a circular; that is a news letter stating the facts as to this campaign.

Mr. JOHNSON. This was used as a news letter?

Mr. MENKEN. Yes.

Mr. JOHNSON. Hidden, or was it sent out?

Mr. MENKEN. We sent it out to perhaps 1,400 papers.

Mr. JOHNSON. It went out as a public statement from your league, did it not?

Mr. MENKEN. It went out from the league as a public statement.

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Mr. JOHNSON. This same paper, under the subtitle of "Elections This Year," and which you declare to be wholly nonpolitical, we find this language:

Particular interest in the Senate chart centers in the records of the Senators who are up for reelection this year. The terms of one-third of the members of the Senate expire by rotation on March 4, 1919. Regular elections are to take place in November in the following States: Alabama, Arkansas, Colorado, Delaware, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire New Jersey, New Mexico, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wyoming. In addition, elections are to take place in Missouri and Nevada to fill vacancies. In these States the chart will be of active and direct interest. In the 14 States where no elections occur the chart is merely of value as recording political history.

You say that was not meddling in politics?

Mr. MENKEN. It was merely an index carrying information to the people that might guide them in reaching their own conclusions about what they wanted to do about it. Now, that was merely a historical record.

Mr. JOHNSON. But it was not intended at all, and did not meddle with politics.

Mr. MENKEN. Not as such, not partisan politics.

Mr. JOHNSON. And if you did not intend to at all meddle in politics, why did you declare in this same circular:

Vardaman, of Mississippi, is the only S "B" Senator and Norris, of Nebraska, the only 9 "B" Senator.

Mr. MENKEN. We simply wanted to fix attention on that record.

Mr. JOHNSON. For what purpose?

Mr. MENKEN. So the people could do what they wanted.

Mr. JOHNSON. Could they not do it without the aid of this circular?

Mr. MENKEN. Yes; but a little information simply served as a stimulus.

Mr. JOHNSON. You intended to convey information to them?

Mr. MENKEN. We certainly did.

Mr. JOHNSON. For what purpose, not for the purpose of interfering in politics was it?

Mr. MENKEN. No.

Mr. JOHNSON. Certainly not, certainly not.

Mr. MENKEN. So that they could do what they wanted.

Mr. JOHNSON. I find this further language in the circular:

The other long-term Senators who cast no "B" votes are Phelan, of California; McLean, of Connecticut; Lodge and Weeks, of Massachusetts; Pittman, of Nevada; Wadsworth, of New York; McCumber, of North Dakota; Harding, of Ohio; Penrose, of Pennsylvania; Colt, of Rhode Island; Shield of Tennessee; Smoot, of Utah; Dillingham of Vermont; Martin of Virginia Poindexter, of Washington; and Warren, of Wyoming.

Why were these inserted if it were not for a political purpose?

Mr. MENKEN. Simply so the people could know what their Senators were doing.

Mr. JOHNSON. They could not know except through the National Security League?

Mr. MENKEN. It gives it to them in a concentrated form, which was useful.

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Mr. JOHNSON. They are a nonintelligent class of people in those States who could not keep up with what their own Representatives and Senators were doing excepting you provided them the information, political information as to how they voted.

Mr. MENKEN. Yes; we do that in New York.

Mr. JOHNSON. Yes; and what is done in New York is all right to be done everywhere.

Mr. MENKEN. It is a pretty good standard, when it is done right.

Mr. JOHNSON. I am quite sure you feel that way about it.

Mr. HARRISON. Do you want your answer to that question to stand?

Mr. MENKEN. What?

Mr. HARRISON. Do you want to change your answer to that question?

Mr. MENKEN. What was the question?

Mr. JOHNSON. Just read that question back there, will you, please?

The reporter read as follows:

They are a nonintelligent class of people in those States who could not keep up with what their own Representatives and Senators were doing excepting you provided them the information, political information as to how they voted?

Mr. MENKEN. The question was so long I lost it. I would say that the people have not always been given this summary, but it is a good thing and of assistance.

Mr. HARRISON. Do you make that statement about the people of New York?

Mr. MENKEN. What is that, sir?

Mr. HARRISON. Will you change your answer to that question there as to the intelligence of the people of those other States enumerated. Do you desire to change it as to the people of New York being unintelligent?

Mr. MENKEN. No; but the elections in New York show that the people do need political information.

Mr. HARRISON. Do you mean to say that they are unintelligent?

Mr. MENKEN. They are often unadvised.

Mr. HARRISON. You think "unadvised" is a better term than "unintelligent"?

Mr. MENKEN. Yes; when we have 170,000 people voting for Hillquit in New York City, and when we have people voting for Mr. Hylan the way they did we thought they needed political advise.

Mr. JOHNSON. You issued the pamphlet and you showed the candidates for Congress and Members of the Senate, and you wanted to influence the electorate to the extent that they would vote for certain men who had a better record on preparedness than certain others.

Mr. MENKEN. We wanted to give them this information so they could do as they felt like.

Mr. JOHNSON. You desired to influence the voter to that extent, didn't you, Mr. Menken?

Mr. MENKEN. We hoped they would elect men who would vote for preparedness.

Mr. HARRISON. What?

Mr. MENKEN. We hoped they would elect men who would vote for preparedness.

Mr. HARRISON. To that extent you took part in the congressional and senatorial elections?

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Mr. MENKEN. You think that is taking part in the elections?

Mr. HARRISON. Well, you made expenditure of certain money in the distribution at least of this literature to influence the voters to that extent.

Mr. MENKEN. We spent $5,900 for the elections.

Mr. HARRISON. Yes.

Mr. JOHNSON. Is that all you spent?

Mr. MENKEN. That is all.

Mr. JOHHNSON. To obtain certain caliber of men in the Senate and in the House of Representatives?

Mr. MENKEN. To enable the people to decide what type of men they wanted. We had one experience with a senatorial campaign in the league where Mr. Bacon ran for United States Senator. The moment he entered the contest he resigned. We offered both the contestants equal facilities, so that no one could say or feel that there was any favoritism shown Mr. Bacon because of his former connection with the league.

Mr. HARRISON. And offered to both of them to distribute their literature?

Mr. MENKEN. We did not offer to distribute anything.

Mr. JOHNSON. Was the circulation of matter regarding the elections paid for out of this $5,900 or out of another fund?

Mr. MENKEN. You will have to ask Mr. Orth about the chart.

Mr. JOHNSON. I am not speaking about chart; I am asking about the circulation.

Mr. MENKEN. The chart was paid for——

Mr. JOHNSON (interposing). I am not talking about chart.

Mr. MENKEN. I do not know the details of those expenses, sir; I did not audit them.

Mr. JOHNSON. Were the two charts—one for the House and one for the Senate—paid for out of this $5,900 fund?

Mr. MENKEN. I was so informed.

Mr. JOHNSON. Do you know what other literature was paid for out of the $5,900 fund?

Mr. MENKEN. I do not.

Mr. JOHNSON. All your literature was paid for out of the $5,900 fund?

Mr. MENKEN. Yes, sir.

Mr. JOHNSON. You have not sent any that was not paid for out of the $5,900 fund?

Mr. MENKEN. I will have to testify from hearsay.

Mr. JOHNSON. And from whom did you hear it?

Mr. MENKEN. Mr. Orth.

Mr. JOHNSON. And you have the information from Mr. Orth that the Security League has issued no literature that was not paid for out of the $5,900 political fund?

Mr. MENKEN. In connection with the congressional campaign. Of course, we have issued 50,000,000 circulars and pamphlets and leaflets, and so forth; perhaps that little circular—that has nothing to do with it.

Mr. JOHNSON. And they were paid for out of another fund than the $5,900 fund?

Mr. MENKEN. For the general literature, educational work, and so on.

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Mr. JOHNSON. Were paid for out of another fund?

Mr. MENKEN. Out of the general funds of the league, amounting to about $617,000. We have been in the habit of sending out each week an inexpensive news sheet, which, maybe, cost us $30 or $40, such as that one from which you read. I do not know whether the expense of sending it out any particular week was segregated and charged up against the congressional committee or not. It may have been a matter of a few dollars more or less, but substantially, as I understand it, every dollar came out of that $5,900 fund.

Mr. HARRISON. The boiler-plate matter, too?

Mr. MENKEN. I can not tell you.

Mr. HARRISON. Was any report made to the Clerk of the House of Representatives or the Clerk of the United States Senate as to the amount expended in issuing and having printed and distributed these circulars and charts?

Mr. MENKEN. I do not think so.

Mr. HARRISON. You do not think so Was there any report made in any State of the Union?

Mr. MENKEN. I don't think so. I do not think it was necessary.

Mr. HARRISON. You said something about the war had revealed the fact that we were not prepared, and the Surgeon General's office in the conduct of the war were very inefficient in providing against disease. That was true, you made that statement?

Mr. MENKEN. I made that statement.

Mr. HARRISON. We were unprepared along that line?

Mr. MENKEN. I thiuk the Surgeon General's office has done a great work, but I said there was a tremendous wastage of life, a tremendous amount of disease, due to our unpreparedness.

Mr. HARRISON. Do you know what the annual death rate from disease was during the Mexican War among our soldiers?

Mr. MENKEN. No; I am sure it was very high, though.

Mr. HARRISON. It was 100 to 1,000.

Mr. MENKEN. Ten per cent.

Mr. HARRISON. Do you know what it was in the Civil War?

Mr. MENKEN. Also very high.

Mr. HARRISON. It was 40 out of 1,000. Do you know what it was in the South American War?

Mr. MENKEN. Very high; I can not tell you.

Mr. HARRISON. It was 24 out of 1,000.

Mr. MENKEN. Yes, sir.

Mr. HARRISON. Do you know what it is in this war?

Mr. MENKEN. I do not think anybody can tell.

Mr. HARRISON. Well, they would know up to now.

Mr. MENKEN. I do not.

Mr. HARRISON. It is less than 7 out of 1,000.

Mr. MENKEN. Yes.

Mr. HARRISON. That is a pretty marked decrease, is it not?

Mr. MENKEN. It is an improvement, sir; a great improvement.

Mr. WALSH. Mr. Menken, is it a fact that the opinions and answers which you have given with reference to alleged utterances of Dr. McElroy in April in La Crosse, Wis., are based upon investigation which you made and from facts which have been told to you and not upon your knowledge of what occurred from having been present at that meeting?

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Mr. MENKEN. Entirely.

Mr. WALSH. And now, one further question; and notwithsta ing the investigation you made of what occurred at that time y because of some difference of opinion between you and Dr. McEl among others in the league touching Mr. Hearst's attitude, resig your office as president of the league last July?

Mr. MENKEN. That is not quite right; I came to the conclu that I had made an error that could be misinterpreted to the de ment of the league. The fact that Dr. McElroy was one of th that expressed that view most positively had no controlling fluence on me: it was my own conclusion.

Mr. WALSH. You no doubt feel that you might have made an e in respect to the interview you gave touching Mr. Hearst's attit and Dr. McElroy was among those in the league who had thou you made a mistake, and knowing from your investigation what occurred at Milwaukee and feeling that possibly Dr. McElroy made an error, but you nevertheless, notwithstanding that, gave your position as president of this Security League for the benefi the organization. Is it not that?

Mr. MENKEN. I thought it could do its work better if I was president for the time being.

Mr. WALSH. Yes; that is all.

Mr. MENKEN. And it was the opinion of a great many intin and warm friends who counseled with me in a very friendly sp that perhaps that in view of the possible misinterpretation t could be given to that interview which I gave wholly in the spiri fair play, but perhaps said a little more than I should, that a be result would be obtained for the league if I left the presidency a while. Col. Lydecker was very glad to make the sacrifice accept the office, and I have been very happy to see the league g under his guiding influence.

Mr. WALSH. But you had all the information which you h given out at the time of your resignation with reference to the McElroy incident at Milwaukee?

Mr. MENKEN. Oh, yes.

Mr. JOHNSON. We will take a recess to meet at 1.30 p. m. o'cl

(Whereupon at 12.30 o'clock p. m. the committee recessed.)

AFTER RECESS.

The committee reconvened pursuant to the taking of the recess 1.30 o'clock p. m.

TESTIMONY OF S. STANWOOD MENKEN—Resumed.

Mr. SAUNDERS. Mr. Menken, you stated in the course of your amination that the President was clever enough to come across the matter of preparedness about a year ahead of Congress. W did the President come across?

Mr. MENKEN. In his first public speech preceding his tour, wh was about December 7, 1916.

Mr. SAUNDERS. He came across, then, in December, 1916?

Mr. MENKEN. Yes, sir.

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Mr. SAUNDERS. Now, when did you say that Congress came across?

Mr. MENKEN. When it passed the administration Army and Navy bills.

Mr. SAUNDERS. When were they passed?

Mr. MENKEN. After the declaration of war, somewhere around July, 1917.

Mr. SAUNDERS. Then the President, according to those figures, did not come across 12 months ahead of Congress at all?

Mr. MENKEN. No; it seems the period was a little shorter.

Mr. SAUNDERS. You are mistaken, then, in saying——

Mr. MENKEN. Wait a moment, Congressman; I would like to check myself up on the figures there. [After examining papers.] It was December 7, 1915, when the President came across, I think. December 7, 1915, in his address to Congress asking for the greatest Navy in the world and outlining the demand for a citizen army.

Mr. SAUNDERS. When did Congress come across, then?

Mr. MENKEN. I do not think it ever really came across until it passed the Army and Navy bills in the middle of 1917, about 17 months later.

Mr. SAUNDERS. That citizens' Army bill was passed long before July, 1917?

Mr. MENKEN. Yes; but the real preparedness measures were never passed in a big, broad, way until we got well into the war.

Mr. SAUNDERS. You do not count the citizens Army bill, then, as coming across?

Mr. MENKEN. I do not.

Mr. SAUNDERS. Then the President did not come across?

Mr. MENKEN. The President had to feel his way; he could not recommend a program stronger than he felt Congress would adopt.

Mr. SAUNDER. That is reading the President's mind, and I do not think you can read the President's mind any better than we can.

Mr. MENKEN. I do not think I can.

Mr. SAUNDERS. You have to judge those things by what he did?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. You date his coming across at the time he made his recommendation for a citizen Army?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. Now Congress came across when it passed such a citizen Army bill as the President approved, would be a fair statement, would it not?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. Why not?

Mr. MENKEN. I think the history of Congress is replete with measures that the President has signed because he felt when dealing with a coordinate branch of the Government he had gotten a measure that was an improvement upon the existing conditions and it was his duty to accept it.

Mr. SAUNDERS. Do you not think your statement there involves quite a reflection on the President?

Mr. MENKEN. In what connection, sir?

Mr. SAUNDERS. You intimate that the President was not doing what he ought to have done under the circumstances.

Mr. MENKEN. I think the President took half a loaf when he wanted the full loaf.

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Mr. SAUNDERS. Have you the slightest evidence here that the President wanted more in that citizens' Army bill than what Congress gave him? If you have, I would like to find it.

Mr. MENKEN. I can only say this, that the measures that Congress gave him—I am speaking particularly of the five-year naval program—certainly did not meet the standard laid down by him in his speeches.

Mr. SAUNDERS. But you will note that is not an answer at all to the question I asked you.

Mr. MENKEN. That is the evidence.

Mr. SAUNDERS. I will ask the stenographer to read the question.

The STENOGRAPHER (reading). Have you the slightest evidence here that the President wanted more in that citizens' Army bill than what Congress gave him? If you have, I would like to find it.

Mr. MENKEN. I can only judge it by his utterances, sir.

Mr. SAUNDERS. Will you file his utterances with reference to this citizens' Army bill, to show he was out of accord with Mr. Hay, and Congress in respect to it?

Mr. MENKEN. I can not: but I will now give you a reference to the speeches I refer to.

Mr. SAUNDERS. I have not asked you anything about the speeches.

Mr. MENKEN. These are his utterances.

Mr. SAUNDERS. I ask you to file any evidence to show that the President was out of accord with Mr. Hay and Congress in respect to the bill that was actually passed.

Mr. MENKEN. No, sir; that does not meet my position——

Mr. SAUNDERS. I am asking you to file your evidence.

Mr. MENKEN. No, I will not, because I have not got them.

Mr. SAUNDERS. You have not got them?

Mr. MENKEN. I have his speeches, though, on preparedness that I refer to.

Mr. SAUNDERS. So in respect to the Army bill, so far as the record goes, the President, Mr. Hay, and Congress were in accord, were they not?

Mr. MENKEN. Not if I can judge by the President's speeches made in his addresses to Congress and throughout the Country.

Mr. SAUNDERS. I will ask you again to file any speeches of the President showing he was out of accord with Mr. Hay and Congress in respect to the bill that was actually passed.

Mr. MENKEN. May I refer to them, sir, instead of filing them?

Mr. SAUNDERS. No; I would prefer that you file them.

Mr. MENKEN. I will try.

Mr. SAUNDERS. The speeches showing, now, he was out of accord with Mr. Hay and with Congress in respect to the bill that was actually passed.

Mr. MENKEN. All right, sir.

Mr. SAUNDERS. When was that citizens' Army bill of Mr. Hay's passed?

Mr. MENKEN. I can not tell you the date; some time in 1916.

Mr. SAUNDERS. Was it 12 months after the date that you fix for the President coming across?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. How long was it?

Mr. MENKEN. I can not say, not knowing the date.

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Mr. SAUNDERS. I will vary my question a little with respect to that. Have you any utterance of the President relating precisely to the Army bill formulated by Mr. Hay and passed by the House of Representatives, to show that that bill was distasteful to the President?

Mr. MENKEN. I have not.

Mr. SAUNDERS. Then, with respect to Congress coming across, it is only the time between the date you give in 1915 and the date of the passage of that bill; is that correct?

Mr. MENKEN. No, sir; it is not. I maintain the position I took on the first day of my testimony, that Congress did not have the prevision to sense the military needs of the country.

Mr. SAUNDERS. That may be, but it appears the President did not have, either, so far as your statement goes?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. But if the President's request for a citizens' army showed the date at which he came across, then the time at which Congress afforded such a citizens' army as was acceptable to the President would certainly fix the date at which Congress came across on that proposition?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. You dissent from that?

Mr. MENKEN. No, sir; I think it is conclusive.

Mr. SAUNDERS. I will just say here that I will file in the record the date of the passage of the President's citizens' army bill as fixing the date when Congress came across.

Now, with respect to the President's naval bill—that is, the bill that he favored—when was that passed?

Mr. MENKEN. I do not know which bill he favored, sir. I only know the standard that he set.

Mr. SAUNDERS. After he set the standard, the Naval Affairs Committee recommended a bill?

Mr. MENKEN. Yes, sir.

Mr. SAUNDERS. These administration bills reflect the attitude of the President. Do you know when the Naval Committee reported a bill?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. You do not know, then, when Congress came across with respect to such a naval bill as the President wanted?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. But the date at which that bill was passed in the House, having reference to the President's statements in 1915, would fix the time when Congress came across with respect to the Navy, would it not?

Mr. MENKEN. It would not, sir.

Mr. SAUNDERS. Why wouldn't it?

Mr. MENKEN. Because the bill was not a sufficient bill to protect the country.

Mr. SAUNDERS. Have you any evidence to show that bill was not acceptable to the President or in accord with his wishes?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. So far as you know, then, that bill was in accord with the President's wishes?

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Mr. MENKEN. I do not know anything about it, sir, excepting he signed it.

Mr. SAUNDERS. Well, if the President came across, and you have stated that he did, and Congress passed such a bill as was acceptable to him, then by that act Congress would come across?

Mr. MENKEN. If they passed a bill that the President felt met the demand that he made for the greatest Navy in the world—then they had passed such a bill, then there would have been some such evidence.

Mr. SAUNDERS. Have you the slightest evidence here to file to show that the bill reported by the Naval Affairs Committee and passed by the House was not agreeable and acceptable to the President?

Mr. MENKEN. No, sir. But I can prove it was not such a bill as the President's speeches demanded, and as evidence I submit the bill itself.

Mr. SAUNDERS. You have no evidence, have you, that the President criticised that bill as being in any wise short of his expectation or wishes?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. On the contrary, you have filed in the record—I forget by whom, but in the course of the record at New York—a statement from the President that Congress had acted adequately with respect to this matter of preparedness?

Mr. MENKEN. After the adoption of the administration war measures in 1917, sir.

Mr. SAUNDERS. Then you have nothing, as I said, that you can file to show that the naval bill passed by the House following the President's statement of 1915 was in any wise unacceptable to him or fell short of what he conceived to be an adequate naval bill?

Mr. MENKEN. No, sir; except his speeches and the bill itself.

Mr. SAUNDERS. The bill itself would not show it was unacceptable to the President, would it?

Mr. MENKEN. No, sir; but it would show it was inadequate, sir.

Mr. SAUNDERS. I did not ask you whether the bill was adequate or inadequate; I am asking you about the President's attitude.

Mr. MENKEN. The trouble is you force me in a position of taking the President's signature as conclusive of his acceptability.

Mr. SAUNDERS. No, sir; not at all; I ask you if you have any evidence, by way of declarations made by the President to show that this particular bill he signed was inadequate preparedness, or in any wise fell short of what he wished in the way of a naval bill?

Mr. MENKEN. No, sir.

Mr. SAUNDERS. That is all.

Mr. JOHNSON. I guess you may be excused.

Mr. MENKEN. I want to take the liberty of making a statement. You said I could make a statement if I wanted to, and I want five minutes of the committee's time to do that.

Mr. JOHNSON. If it involves anything at issue, the committee would be very glad to hear you.

Mr. MENKEN. Yes; it does. I want to submit here a list of the national committee as organized in 1915 and ask to have the names read into the record.

Mr. JOHNSON. There will be no objection to that.

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The list of names referred to is as follows:

t. Livingston Beeckman, governor of Rhode Island; A. J. Drexel Biddle, nsylvania; Charles J. Bonaparte, ex-Secretary of the Navy, Maryland; met D. Boyle, governor of Nevada; C. B. Burr, Michigan; Francis M. Byrne, ernor of South Dakota; George W. Clarke, governor of Iowa; Frederick R. dert, New York; Charles L. Dering, Chicago; Jacob M. Dickinson, ex-retary of War, Chicago; Thomas A. Edison, New Jersey; James E. Ferguson, ernor of Texas; David R. Francis, ex-governor of Missouri; Phillips Lee dsborough, governor of Maryland; Francis V. Greene, New York; Luther E. H, governor of Louisiana; Archibald C. Hart, New Jersey; L. B. Hanna, ernor of North Dakota; Myron T. Herrick, ex-governor of Ohio; John Grier ben, president Princeton University; David Jayne Hill, Massachusetts; reus H. Holcomb, governor of Connecticut; George W. P. Hunt, governor of izona; John B. Kendrick, governor of Wyoming; Philander C. Knox, ex-Secretary of State, Pennsylvania; George von L. Meyer, Massachusetts; Charles Miller, governor of Delaware; James B. McCreary, governor of Kentucky; C. McDonald, governor of New Mexico; William Fellowes Morgan, New rk; Guy Murchie, Massachusetts; George Wharton Pepper, Philadelphia; L. Philipp, governor of Wisconsin; George Haven Putnam, New York; muel V. Stewart, governor of Montana; Henry L. Stimson, ex-Secretary of r, New York; Oscar S. Straus, New York; Theodore E. Wiedersheim, Philaphia; James Withycombe, governor of Oregon; Luke E. Wright, ex-Secretary War, Tennessee.

Mr. MENKEN. Now, may I take the liberty of saying this as to the rsonnel of the league? The fact has not been brought out here, and think it should be brought out, that immediately upon organization e got into correspondence through the secretaries, and sometimes rough volunteer efforts, with the leading men in the different cities ho formed the branches in the different cities. They more or less rmed autonomous organizations of their own, connected, however, ith us in the main program. That in that work we had the benefit id the assistance, among others, of ex-Secretary of the Treasury racey; ex-Secretary of the Navy Nagel; ex-Attorney General George W. Wickersham; Mr. Root; Mr. Stimson; ex-Secretary of War Dickson; Assistant Secretary of the Navy Herbert Satterlee; Bronson Winthrop; David Jayne Hill, minister to Germany; Luke E. Wright; ov. Whiteman; David R. Francis; Gov. Lowden; Mr. Bancroft, of e Chicago branch; ex-Secretary Meyer; Gov. Herrick; Senator hamberlain; Gov. Manning; George Wharton Pepper; Bernard M. aruch; Oscar S. Straus; Guy Murchie, the president of H. H. urchie, of Chicago; and groups of men of similar standing in pretty early every center in the country. And we simply appealed to their atriotism, and on such ideas as met their views we had their support.

Mr. JOHNSON. What did you say they did?

Mr. MENKEN. They simply supported our movement by going in nd holding meetings. Lafayette Young is another name I would ike to mention. And through them we held meetings throughout the ountry that were simply incomprehensible without their support.

Mr. JOHNSON. You are telling us, then, the league was nonpolitical?

Mr. MENKEN. Absolutely; we had no knowledge of the politics of he men and made no choice on account of their political activities or nything else, and never allowed politics to influence us in any way whatsoever.

Mr. JOHNSON. Politics did not play any part in your activities?

Mr. MENKEN. Politics was removed from the league.

Mr. JOHNSON. You had nothing to do with politics at all?

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Mr. MENKEN. Absolutely nothing. And when it came to the mo... end of the league, we simply appealed for $1 or $5 or $25, as they f... they wanted to give, sending out the appeals to the boards of tra... and chambers of commerce and to the people generally, appeals t... join the local branch or the main body of the league; and where th... joined the local branch we got 25 per cent of the dues to cover t... expenses of the central organization. But in some of the big citi... like Philadelphia or Chicago, for instance, where they had a tr... mendous amount of organization work to do, it was impossible f... them to send in much of that money, but now and then they wou... send in $500 or $1,000. And these appeals were made to identical... the same groups of men who made donations to the Y. M. C. A., t... Red Cross, and who were always giving to the big movements... this country. And you will find our list is identical with the list o... the largest donors to all these patriotic charities. And our list com... prises the largest buyers of liberty bonds in every State in the co... try. We had the men who were most responsible to patriotic impul... to a very large degree in every State in the Union, whether it w... Mr. Parker leading in New Orleans, or Senator Sewell in Maine, ... the good people out in Oregon, or men like Mr. Woodcock down... the southern part of Illinois—we got that same type of men ever... where.

We began our work simply as a preparedness organization, and ... then developed the idea that knowledge by the people was necessary... for national security, and then we instituted an educational cam... paign. We had two ideas that was to develop the power of the Gov... ernment and bring about elasticity in the Constitution, so that t... people would understand that and work out these purposes.

Mr. WALSH. Develop what did you say?

Mr. MENKEN. Elasticity in the Constitution to meet new condi... tions as time went on. And we had but one object, and that w... public service in the broadest sense.

And in presenting this picture to you it is in the sense that y... would see that perhaps while this or that might not have been do... in the way which from after-vision you would like to have had ... done we have tried to do a great, necessary, public work, and in o... work we have had the support of the greatest body of American... that any one organization ever produced upon its roster.

(Witness excused.)

TESTIMONY OF MR. CHARLES D. ORTH.

(The witness was duly sworn by Mr. Johnson.)

Mr. LYDECKER. Before the next witness is called, can the president of the National Security League ask a question that arises from the phraseology of the subpœna that has been served on this witness?

To attend before a committee of which the Hon. Ben Johnson is chairman said committee having been appointed to investigate certain charges said to have been preferred against certain Members of the Sixty-fifth Congress by the National Security League.

I desire to ask whether any charges have been formulated, in view of this subpœna and the statement of Congressman Browne that Mr. McElroy is on trial here. If any charges have been formulated I ask to have a copy.

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Mr. JOHNSON. Oh, whom are you asking now, me?

Mr. LYDECKER. The committee, through its chairman.

Mr. JOHNSON. My answer is that I did not write the subpœna, and I have not seen it since it was written; that I gave no instructions concerning its writing beyond asking that Mr. Menken and Mr. Orth be subpœnaed. If I had written the subpœna I would have had the witnesses subpœnaed under the number and title of the resolution under which the committee is acting. If you want a guess, which amounts to nothing more than a guess, I will guess that the Sergeant at Arms wrote that.

Mr. LYDECKER. If any charges have been formulated I would like to have a copy of them.

Mr. JOHNSON. I guess the Sergeant at Arms wrote that subpœna.

Mr. HARRISON. The resolution speaks for itself.

Mr. JOHNSON. And the resolution was inserted in the record at the first hearing that the committee held.

Mr. HARRISON. That is what we are called on to investigate.

Mr. BROWNE. In regard to my statement that Dr. McElroy is on trial, I consider that every officer of the league who is a prominent officer who has conducted the business of the league, that his character, as to whether he is a man of veracity and truthfulness and all that is at issue here. And Dr. McElroy, taking the important part that he has taken in this league, I assume it is very material in this inquiry whether the doctor is a truthful man or not. That is the way I used the term that he was on trial.

Mr. WALSH. If you will pardon me, Mr. Browne, I can not agree with the conclusions you have stated as to the province of this committee. I think the language of the resolution sets forth clearly what the province of the committee is. It is to investigate.

Mr. JOHNSON. We are sitting under the authority of the resolution and not under what the Sergeant at Arms has written into a subpœna.

Mr. LYDECKER. As long as there are no charges, I will not be negligent in not prosecuting them, but if there are any I would be in need to get them and know what they are so as to be able to properly defend them.

Mr. JOHNSON. If you have not detected any from the hearing thus far it is more than likely you will not find that there will be any in the future.

Mr. Orth, please give the committee your full name.

Mr. ORTH. Charles D. Orth.

Mr. JOHNSON. Where were you born?

Mr. ORTH. New York City.

Mr. JOHNSON. Where is your legal residence at this time?

Mr. ORTH. New York City.

Mr. JOHNSON. How long has New York City been your residence? I mean has it been your residence all of your life; I am not inquiring into your age?

Mr. ORTH. Practically all of my life.

Mr. JOHNSON. At what other place was your residence if New York City was not?

Mr. ORTH. I lived in Brooklyn, N. Y., when it was part of New York City. I lived in London for about four years.

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Mr. JOHNSON. What time did you live in London?
Mr. ORTH. I lived in the city of London some five or six years.
Mr. JOHNSON. When did you live in London?
Mr. ORTH. From the early part of 1892 until the end of 1895.
Mr. JOHNSON. What was your business in London at that time?
Mr. ORTH. Trying to find new markets for American manufactures.
Mr. JOHNSON. What particular manufactures?
Mr. ORTH. Chiefly rope and binder twine.
Mr. JOHNSON. Had you theretofore visited countries beyond the limits of the United States?
Mr. ORTH. Prior to 1892?
Mr. JOHNSON. Yes.
Mr. ORTH. I had not.
Mr. JOHNSON. Have you since?
Mr. ORTH. Yes.
Mr. JOHNSON. What countries have you visited, and when, since that time?
Mr. ORTH. I can not recall with particularity, because I have crossed the ocean many times on account of having an office in London.
Mr. JOHNSON. Have you an office in London now?
Mr. ORTH. Yes.
Mr. JOHNSON. And how long have you had that office in London?
Mr. ORTH. Since 1904.
Mr. JOHNSON. Go ahead, now, and tell us.
Mr. ORTH. I was simply going to say I have crossed the ocean many times, and on these various trips, in addition to spending time in my London office, I have visited customers and clients on the Continent of Europe, in France, Belgium, Germany, and Italy. I think those are about all.
Mr. JOHNSON. Have you visited any Central or South American places?
Mr. ORTH. No.
Mr. JOHNSON. Any of the islands?
Mr. ORTH. No.
Mr. JOHNSON. When did you become associated with the Security League?
Mr. ORTH. I became a member of the National Security League probably during the first quarter of 1915, as a result of having received its circulars and being impressed by their contents and sending in my membership, which, according to my best recollection, was a life membership.
Mr. JOHNSON. What did that cost you?
Mr. ORTH. $100.
Mr. JOHNSON. I see in a little folder which was filed only a few moments ago by Mr. Menken, the former president of the league, under the head of "dues of members," the following:

The dues of members are as follows: Annual membership, $1; contributing (yearly) membership, $5; life membership, $25.

When did you first become an officer in the league?
Mr. ORTH. Why, I became chairman of the congressional committee in June, 1918, but I think it was in September that I was elected to membership on the executive committee.

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Mr. JOHNSON. Tell us in your own way how you happened to become an officer of the league.

Mr. ORTH. You mean a member of the executive committee or chairman of the committee on congressional affairs?

Mr. JOHNSON. Both.

Mr. ORTH. I became chairman of the committee on congressional affairs because, as a result of my interest in the subject, I had through the invitation of a mutual friend met Mr. Menken.

Mr. JOHNSON. Who was the mutual friend?

Mr. ORTH. Mr. Christopher Corning, a mining engineer in New York. I presented to Mr. Menken some ideas which had been forming themselves in my mind for some time.

Mr. JOHNSON. Tell us a little more about your becoming an executive officer and also in charge of the congressional work.

Mr. ORTH. I was trying to get to that, sir.

Mr. JOHNSON. All right, go ahead in your own way.

Mr. ORTH. I can not do it on the jump. I presented to Mr. Menken my views and he seemed to be in agreement with them, and I asked him if the National Security League might not be willing to take up the propaganda which I had outlined to him.

Mr. JOHNSON. And when did you have that conversation with him?

Mr. ORTH. I should say it was in May, 1918. And as a result of that conversation an arrangement was made between the National Security League and myself, whereby the league was to establish a congressional committee and I was to be chairman of that committee. And I attended to my duties as chairman of that committee from about the 1st of June until up to and including the present time. In September——

Mr. JOHNSON. Did you become a member of the executive board prior to that time?

Mr. ORTH. In September, 1918, the executive committee elected me a member of that body.

Mr. BROWNE. You are a member of the firm of Hansen & Orth, at 27 Cedar Street, New York, are you?

Mr. ORTH. I am.

Mr. BROWNE. How long has that firm been in existence?

Mr. ORTH. Since 1900.

Mr. BROWNE. And that firm of Hansen & Orth is established in London?

Mr. ORTH. They have a branch office in London; also in Manila.

Mr. BROWNE. Do you own boats of your own?

Mr. ORTH. No.

Mr. BROWNE. Have you at any time?

Mr. ORTH. No.

Mr. BROWNE. Are you interested in the National Rosin & Oil Co.?

Mr. ORTH. I am a stockholder and director in the National Rosin, Oil & Size Co.

Mr. BROWNE. Are you a director in any other companies?

Mr. ORTH. I am a director in the Pennsylvania & Delaware Oil Co.

Mr. BROWNE. Any others?

Mr. ORTH. No.

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Mr. BROWNE. Where does the National Rosin, Oil & Size Co. have its offices?

Mr. ORTH. It has its head office in Savannah, Ga., and it has an office in New York City.

Mr. BROWNE. Where does the Pennsylvania & Delaware Oil Co. have its office?

Mr. ORTH. It has an office at Elizabethport, N. J., and in New York City.

Mr. BROWNE. Where are the operations of the National Oil & Size Co.?

Mr. ORTH. Its chief operations are in Savannah, Ga., and operations almost as large in the plant at Elizabethport, N. J.

Mr. BROWNE. Does this company have any interests in Mexico or South America?

Mr. ORTH. Which one?

Mr. BROWNE. The National Rosin & Oil Co.?

Mr. ORTH. No; it has not.

Mr. BROWNE. Just throughout the United States?

Mr. ORTH. Why, almost exclusively in the United States. It occasionally ships its products abroad, but it can not be said to have any foreign interests.

Mr. BROWNE. Where does the Pennsylvania & Delaware Oil Co. operate?

Mr. ORTH. Why, its refineries or mills are at Elizabethport, N. J.

Mr. BROWNE. Does it own some oil wells and oil lands?

Mr. ORTH. It does not.

Mr. BROWNE. You are not interested in any Mexican properties, at any rate?

Mr. ORTH. I am afraid I do not quite know the scope of that question.

Mr. BROWNE. Are any part of its activities or interests in Mexico?

Mr. ORTH. Not at the present time.

Mr. BROWNE. Were you very recently?

Mr. ORTH. What do you mean by very recently?

Mr. BROWNE. Well, within a few years.

Mr. ORTH. I was.

Mr. BROWNE. What were those companies?

Mr. ORTH. I was interested as the New York agent of a company in Yucatan, Mexico, whose business it was to export sisal hemp from there.

Mr. BROWNE. What company was that?

Mr. ORTH. It was a company called the Compania Hacendados—meaning company of planters.

Mr. BROWNE. You simply sold their products, did you?

Mr. ORTH. I simply sold their products in this country.

Mr. BROWNE. Acting as a commission man?

Mr. ORTH. Acting partly as a commission man and partly as a merchant.

Mr. BROWNE. Were you ever interested, either as stockholder or as agent for the International Harvester Co.?

Mr. ORTH. Replying to your first question, my firm at various times during the last 10 or 12 years have been owners of from 2 to 400 shares of the stock of the Harvester Co., or the Harvester Corporation. I forget which. We have never been their agent, although we

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have done a large business for and with them in hemp, which is the business of my firm.

Mr. BROWNE. You still own that stock—your firm does?

Mr. ORTH. No; and we have not owned it for several years.

Mr. BROWNE. You have not?

Mr. ORTH. We have not.

Mr. BROWNE. Have you been an importer of sisal?

Mr. ORTH. My firm was an importer of sisal until September, 1915.

Mr. BROWNE. For how many years?

Mr. ORTH. Why, practically since the formation of my firm. Before that I was not an importer of sisal.

Mr. BROWNE. Where did you import your sisal from?

Mr. ORTH. Yucatan, Mexico.

Mr. BROWNE. Does the International Harvester Co. also engage in the importation of sisal?

Mr. ORTH. They would not directly. They bought their requirements through regular firms engaged in the business there and in this country.

Mr. BROWNE. Have you sold them a good deal of sisal?

Mr. ORTH. We have sold them some; yes.

Mr. BROWNE. Were you one of the largest importers of sisal in the country?

Mr. ORTH. I am sorry to say I was not.

Mr. BROWNE. Who would import more than your firm; what firms imported more than your firm?

Mr. ORTH. Why, owing to the difficulties and dangers of the business, in August and September, 1915, there were only three firms who regularly imported it.

Mr. BROWNE. What firms were they?

Mr. ORTH. Why, the largest firm was the Yucatan firm, Avelino Montes Tullos & Co. I say "company" although that is not strictly accurate, but it is the easiest way to describe them.

Mr. BROWNE. Is that an American company?

Mr. ORTH. No; it is a Yucatan concern.

Mr. BROWNE. What was the next largest concern?

Mr. ORTH. The next largest concern was Henry W. Peabody & Co., of Boston.

Mr. BROWNE. And then yours was next?

Mr. ORTH. Then ours. There were other firms who occasionally imported, but not with any degree of regularity.

Mr. BROWNE. Did the International Harvester Co. buy all of its sisal of those three firms?

Mr. ORTH. It depends on the period. I can generalize: Most of their sisal was bought from Averilo Montes. At one time they bought some from Peabody & Co., and at other times they bought some from us, and at other times they bought locally on the market in Yucatan.

Mr. BROWNE. Did they hold any stock in the company of Hansen & Orth? Did the International Harvester Co. own any stock in your firm?

Mr. ORTH. Did they hold any stock in my firm?

Mr. BROWNE. Yes.

Mr. ORTH. No; my firm is a copartnership and not a corporation.

Mr. BROWNE. They never were interested?

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Mr. ORTH. They never were interested.

Mr. BROWNE. Did they ever loan you any money?

Mr. ORTH. No.

Mr. BROWNE. During your stay of four years in England, were you there continuously those four years, or did you return several times to the United States?

Mr. ORTH. I was there continuously with the exception of the time I was drumming up trade on the Continent of Europe.

Mr. BROWNE. You made a good many acquaintances there and have a great many acquaintances, have you not?

Mr. ORTH. Yes.

Mr. BROWNE. Who asked you to become one of the officers of the National Security League?

Mr. ORTH. What do you mean by officer, Congressman; member of the executive committee?

Mr. BROWNE. Yes.

Mr. ORTH. Why, nobody asked me.

Mr. BROWNE. How did you happen to be elected?

Mr. ORTH. There appears to have been a vacancy in the committee and at one of the meetings of the committee somebody put my name in nomination and I was elected. I had not previously been asked.

Mr. BROWNE. Were you there at the meeting?

Mr. ORTH. I was there at the meeting; yes.

Mr. BROWNE. How many of the executive committee were there—about how many—a dozen?

Mr. ORTH. I would rather tell you exactly, Congressman.

Mr. BROWNE. While you are looking that up: When were you elected chairman of the congressional committee?

Mr. ORTH. I was not elected chairman of the congressional committee; I believe I was appointed chairman of the congressional committee by the president of the league.

Mr. BROWNE. Well, who appointed you?

Mr. ORTH. I believe Col. Lydecker did. Is the date that you ask for material—did you wish me to hunt for it?

Mr. BROWNE. For chairman of the congressional committee, yes: as near as you can give it. You can let some one familiar with the books look it up.

Mr. ORTH. I should say, however, it must have been at one of the meetings in June.

Mr. BROWNE. Soon after Col. Lydecker was elected president?

Mr. ORTH. I can not recall whether it was still under Mr. Menken's presidency, or Col. Lydecker's.

Mr. BROWNE. Now, did you consult with any one with regard to what your work would be as chairman of the congressional committee?

Mr. ORTH. Yes; I had considerable consultation with Mr. Menken as to what it would be before I became chairman of the committee, and after I became chairman of the committee I had various consultations with Col. Lydecker as well as others in the office of the National Security League.

Mr. BROWNE. Who was associated with you on that congerssional committee?

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Mr. ORTH. The committee originally consisted of Mr. J. R. Grace, of New York, a member of the firm of W. R. Grace & Co., who, however, I think it is proper to say, stipulated at the outset that his connection would not be active—could not be active, as he was head of heels in Red Cross work and liberty bond work.

Mr. BROWNE. Who were the others?

Mr. ORTH. One of the members of the original committee was Capt. H. W. Lucie, of the Lucie Manufacturing Co., New York, and a gentleman who was connected with Mr. Hoover in his work in Europe, and I understand and believe has subsequently been working for him.

Mr. BROWNE. What was Lucie's business—H. W. Lucie?

Mr. ORTH. He was the head of a corporation called the Lucie Manufacturing Co.

Mr. BROWNE. What does it manufacture?

Mr. ORTH. I do not know. I believe it manufactures chiefly various materials for well building, and so on, and its business is almost entirely confined to exporting those things.

Mr. BROWNE. Do you know any other business he is engaged in?

Mr. ORTH. I do not.

Mr. BROWNE. Who else is on this committee?

Mr. ORTH. Mrs. James Lee Laidlow, one of the active members of the woman's suffrage committee, accepted membership on the committee.

Mr. BROWNE. Who else?

Mr. ORTH. Mr. Lewis B. Stillwell.

Mr. BROWNE. Who is he?

Mr. ORTH. A member of the executive committee of the National Security League.

Mr. BROWNE. And in what business is he engaged?

Mr. ORTH. I do not know of my own knowledge.

Mr. BROWNE. You have heard, have you not?

Mr. ORTH. I have heard it testified to here and I believe I have heard it specified before, but I have no definite knowledge on the subject.

Mr. BROWNE. Do you know whether Lucie is engaged in or owner of oil wells or oil companies?

Mr. ORTH. I have no knowledge whatever of his investments or business beyond what I have stated.

Mr. BROWNE. You do not know whether he manufactures machinery?

Mr. ORTH. I do not know that, Congressman.

Mr. BROWNE. For oil wells, and so on?

Mr. ORTH. I do not know.

Mr. BROWNE. Was any one else on the congressional committee?

Mr. ORTH. That was all. I wish to state, however, in connection with the membership of the congressional committee, that from the very beginning of my work my consultations regarding what the committee was doing were very active with Mr. Henry L. West, the executive secretary of the National Security League, and whose advice I resorted to very frequently on account of his long experience in Washington, and because he had a very considerable knowledge, which I did not have.

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Mr. BROWNE. I just wanted to know who were the members of the committee.

Mr. ORTH. And also with Mr. E. L. Harvey, who had been connected with the national Democratic committee, I think, in 1916, and who also had a very considerable experience in matters in which we were interested.

Br. BROWNE. So Grace, Lucie, and Stillwell did not assist very much on that committee?

Mr. ORTH. Practically not.

Mr. BROWNE. And you were practically the only member of the committee who was active and you consulted with West and Harvey?

Mr. ORTH. That is correct.

Mr. BROWNE. Now, did you consult with anyone else in the work you were doing?

Mr. ORTH. The question is rather general, Congressman.

Mr. BROWNE. I mean advise with them—advise with members of the Security League?

Mr. ORTH. Yes; I advised with the president of the league, and from time to time had informal discussions in his office, in the office of the league, with various members of the executive committee and heads of departments.

Mr. BROWNE. You know Mr. Joseph T. Castman?

Mr. ORTH. I have met him twice. I think, in the office of the league in New York.

Mr. BROWNE. Who was he?

Mr. ORTH. He was, I believe no longer is, field secretary of the National Security League.

Mr. BROWNE. What is his business?

Mr. ORTH. I do not know exactly. I understand in a general way—this is purely assumption—that it was his business to travel around from branch to branch——

Mr. BROWNE. I mean, outside of the league, what was his general business?

Mr. ORTH. I have no idea.

Mr. BROWNE. Who appointed him field secretary of the national committee?

Mr. ORTH. I have no idea.

Mr. BROWNE. As chairman of the congressional committee, wouldn't you know who appointed one of the field secretaries?

Mr. ORTH. I would not. It had no point of contact whatever.

Mr. BROWNE. How many field secretaries were there?

Mr. ORTH. As far as I know, one.

Mr. BROWNE. Who was this Castman?

Mr. ORTH. I can not say positively; that is my belief.

Mr. BROWNE. Isn't it a fact there were three field secretaries, and Castman was secretary for the Middle West?

Mr. ORTH. If there were three field secretaries, I do not know that, and I did not know of it until now.

Mr. BROWNE. Castman did his work, didn't he, through the Middle West—in Illinois, Wisconsin, and Missouri?

Mr. ORTH. I do not know: I had no contact with Castman's work.

Mr. BROWNE. You do not know the manner of work he did, or anything about it?

Mr. ORTH. No; I do not know.

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Mr. BROWNE. Who would know about that?

Mr. ORTH. Mr. West, executive secretary of the league, and Col. Lydecker, the president.

Mr. BROWNE. They would have control and know about the activities of Joseph T. Castman, would they?

Mr. ORTH. I believe Mr. West had actual control of his activities.

Mr. BROWNE. Now, you prepared a great deal of literature, didn't you?

Mr. ORTH. I did.

Mr. BROWNE. When did you begin preparing literature to send out for the league?

Mr. ORTH. Oh, in June——

Mr. BROWNE. Immediately after you were appointed secretary?

Mr. ORTH. Almost immediately afterwards; yes.

Mr. BROWNE. And the literature you prepared was in regard to Congressmen and their records, was it not?

Mr. ORTH. It can be so described. It can be described in many ways. The literature which I prepared was educational literature with regard to Congress and various public questions connected with the interests of the United States and its people.

Mr. BROWNE. Did you come down to Washington to get a record of all of the Members of Congress?

Mr. ORTH. No. I had the record sent to me.

Mr. BROWNE. Who did you send to?

Mr. ORTH. I beg pardon.

Mr. BROWNE. Who did you send to to get the records of Congressmen?

Mr. ORTH. The Public Printer.

Mr. BROWNE. The Public Printer. Well, did he send you the Congressional Records, or what?

Mr. ORTH. He sent me the Congressional Record.

Mr. BROWNE. Did you compile the records of the various Congressmen from that?

Mr. ORTH. I do not know just what you mean, Congressman.

Mr. BROWNE. I mean just what the question states. You sent out the records of all the Congressmen, practically, did you not?

Mr. ORTH. I sent out the records of the Members of the Sixty-fourth and Sixty-fifth Congresses as regards certain measures.

Mr. BROWNE. Now, who compiled that record?

Mr. ORTH. I and my assistants compiled that.

Mr. BROWNE. Well, who are your assistants?

Mr. ORTH. My assistant, I should say.

Mr. BROWNE. Well, who was that assistant?

Mr. ORTH. Mr. J. Allen Worth.

Mr. BROWNE. Where does he live?

Mr. ORTH. New York City.

Mr. BROWNE. What is his business?

Mr. ORTH. He is my secretary in the National Security League.

Mr. BROWNE. Well, what was his business when he became your secretary?

Mr. ORTH. He had been connected with various commercial concerns in different parts of the country.

Mr. BROWNE. What, some of them?

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Mr. ORTH. He had been connected with the Matthew Soda Water Fountain Co. in Chicago prior to coming with me, and before that had been engaged in the electrical business.

Mr. BROWNE. Whereabouts?

Mr. ORTH. In New York City. His soda-water business was in Chicago, and his electrical business was in New York City.

Mr. BROWNE. Did he work for you on a salary?

Mr. ORTH. Why, yes and no. To an extent he is donating part of his services.

Mr. BROWNE. I ask you whether he got any salary?

Mr. ORTH. Yes, he received a salary.

Mr. BROWNE. How much?

Mr. ORTH. $35 a week.

Mr. BROWNE. That was the total salary he received?

Mr. ORTH. That was the total salary he received.

Mr. BROWNE. Did you pay it to him?

Mr. ORTH. No, the National Security League did.

Mr. BROWNE. Did you make arrangements you would pay him that much?

Mr. ORTH. I made arrangements for the National Security League to do it.

Mr. BROWNE. And you and your assistant prepared the records of the Congressmen?

Mr. ORTH. No; I did not say that.

Mr. BROWNE. Just explain.

Mr. ORTH. I and my assistant did. I mostly did.

Mr. BROWNE. And without [illegible] assistance that you have stated?

Mr. ORTH. [illegible] I was constantly resorting [illegible] Mr. West and Mr. Harvey.

[illegible] the records of [illegible] National [illegible] if they [illegible] instruc- [illegible]

[illegible] League. [illegible] in a [illegible] to [illegible] Congres- [illegible] [illegible] they [illegible] [illegible]

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Mr. ORTH. It was a matter of considerable perplexity how to deal——

Mr. BROWNE. I am not asking about the difficulty of the task.

Mr. ORTH. This is my answer, Congressman——

Mr. BROWNE. I want to know who helped you and who suggested the eight points; whether you did or some one else?

Mr. ORTH. I am going to tell you.

Mr. BROWNE. You are starting out on the perplexity. It is a difficult problem, I admit. But I want to know just who helped you.

Mr. ORTH. I came here to try to put the entire facts before you; and I believe I have a right, have I not, Mr. Chairman, to refresh my recollection from my memoranda?

Mr. BROWNE. You can refresh your recollection, but I do not want something that is not responsive at all about the perplexity and difficulty of the task. I know it is a difficult task.

Mr. ORTH. I desire to put before you what is not only responsive but informatory, too, and of use to the committee.

Mr. BROWNE. Probably there are a great many things informatory, but I want simply to get an answer to my question.

Mr. ORTH. Mr. Chairman, may I read my answer from my own notes?

Mr. BROWNE. I do not object to your reading your answer.

Mr. JOHNSON. The Chair has no instructions from the committee in that respect, but if you have prepared a statement which you desire to read at this time, instead of a direct answer to the question asked by Mr. Browne, I do not see why you should read that instead of answering his question.

Mr. ORTH. It seemed fair to me and more informatory in giving all the facts.

Mr. JOHNSON. The committee will insist that you answer his question.

Mr. ORTH. Will the stenographer please read the question.

The STENOGRAPHER (reading). Who picked out these eight points?

Mr. ORTH. The McLemore resolution was selected by me. The four preparedness measures, which are two, three, four and five in the chart, were included in the chart because they had previously been the subject of a publication in July, 1916, by the National Security League, and because they seemed to be good, sound, fairly representative measures to indicate the attitude of Members of Congress and of candidates of Congressmen.

Mr. CARAWAY. I am going to suggest there that that is not responsive to the question; he has not asked that at all. And I think when a member of the committee asks a direct question, the witness ought to answer it.

Mr. JOHNSON. We have spent six days now, Mr. Orth, in getting evasive answers to direct and certain questions. And it has reached the point where the committee has to insist upon direct answers instead of continued evasive ones.

Mr. ORTH. Mr. Chairman, I am trying to answer your questions fairly, honestly, and truthfully to direct questions as put, but I can not conscientiously answer directly on that kind of a question.

Mr. JOHNSON. Mr. Browne has been compelled to ask you probably a dozen questions to find out who it was that aided or assisted you in

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selecting the eight main issues in the chart, which has already been shown you.

Mr. ORTH. I thought I had answered that, who aided me and assisted me. I have already told the committee several times that Mr. Henry L. West and M. E. L. Harvey.

Mr. JOHNSON. I will ask Mr. Browne to try again.

Mr. BROWNE. You stated you selected the McLemore resolution yourself and the preparedness measures two, three, four, and five had been made matters of injuiry by the National Security League in July, 1916.

Mr. ORTH. Had been made a matter of publication of the votes.

Mr. BROWNE. Yes, a matter of publication. Now you have got down to five. Now, six, seven, and eight: Tell us about those: who selected those?

Mr. ORTH. Why, six, as nearly as I can remember, was selected by me; seven was selected by what I might call acclamation, and also eight.

Mr. BROWNE. Seven and eight by what?

Mr. ORTH. Acclamation.

Mr. BROWNE. What do you mean by that?

Mr. ORTH. By the immediate approval and consent of the gentlemen whom I consulted about what measures to include.

Mr. BROWNE. Who were those men—West and Harvey?

Mr. ORTH. Chiefly Mr. West and Mr. Harvey.

Mr. BROWNE. Now, did any other members of the executive committee have anything to do with getting up these eight questions—formulating them?

Mr. ORTH. No.

Mr. BROWNE. Making them the acid test?

Mr. ORTH. No; they did not. You asked, "with getting them up," and I reply they did not "with getting them up."

Mr. BROWNE. With formulating them?

Mr. ORTH. With formulating them they had nothing to do—practically nothing to do.

Mr. BROWNE. Did anyone besides yourself and your clerk that you have mentioned go over the Congressional Records and verify these acid tests and see how the Members voted upon them?

Mr. ORTH. Do you refer to the vote itself—that is, the record of the vote of the yeas and nays?

Mr. BROWNE. Yes.

Mr. ORTH. Why, yes. Mr. West assisted several times in checking up the tabulation to make sure there were no mistakes in it. Does that answer your question?

Mr. BROWNE. Yes, sir. You framed the questions yourself and you used the phraseology, did you, yourself?

Mr. ORTH. I wrote the phraseology of the chart; yes.

Mr. BROWNE. Was it changed in any way by a member of the league?

Mr. ORTH. I do not remember that it was. A word or so might have been suggested or taken out by a friend, but I should not substantially, it was not changed.

Mr. BROWNE. Now, what was the purpose of getting out these eight [illegible] What was your purpose? Can you tell without looking at your notes?

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Mr. ORTH. Yes. I desire to refresh my memory, if I may. [After referring to papers.] Why, the purpose of publishing the chart was to conduct, so far as the time and funds available to the committee would permit, a win-the-war educational propaganda with regard to certain outstanding questions which had commanded to an eminent degree the attention of the people of the United States.

Mr. BROWNE. Were you asked by anybody—anyone of the league—to have one of the questions the question, the first real war measure, the matter of raising revenue to conduct the war?

Mr. ORTH. Was I asked by anyone in the league to include that?

Mr. BROWNE. Yes; as one of the acid tests.

Mr. ORTH. I was not.

Mr. BROWNE. Did that suggest itself to you, that that was an important war measure, the great revenue measure to raise money to carry on the war?

Mr. ORTH. Yes; but it did not suggest itself to me as one of the outstanding evidences of the tendency of the Members of Congress.

Mr. BROWNE. If the majority of the House of Representatives had voted against the war-revenue bill to raise money to carry on the war, we could not have supported our Army or our Navy or carried on our war activities, could we, of preparedness?

Mr. ORTH. No; we could not.

Mr. BROWNE. And yet you did not consider that an important enough measure to put on as one of the acid tests that should be brought to bear upon Congressmen running for reelection?

Mr. ORTH. No; I did not.

Mr. BROWNE. And you did not consider that as much of an acid test as questions away back two years before that time in regard to preparedness?

Mr. ORTH. I did not.

Mr. BROWNE. Now, you prepared this chart that I show you here, did you not, Mr. Orth? [Exhibiting paper to witness.]

Mr. ORTH. No.

Mr. BROWNE. You did not prepare it? This says:

Released for immediate publication by the National Security League, 98 West Forty-fourth Street, New York City, E. L. Harvey, publicity director.

Who did prepare it?

Mr. ORTH. Mr. Harvey.

Mr. BROWNE. Did you know about that?

Mr. ORTH. I did.

Mr. BROWNE. It went out with your authority, did it not?

Mr. ORTH. It went out with my sanction and approval; yes.

Mr. BROWNE. You sent out these charts, didn't you, that have been exhibited, where all the Congressmen are marked on their loyalty?

Mr. ORTH. I did.

Mr. BROWNE. Did a letter accompany that?

Mr. ORTH. I beg your pardon, Congressman: there was nothing said in the chart about a Congressman's loyalty.

Mr. BROWNE. What did you say?

Mr. ORTH. There was nothing said in the chart about a Congressman's loyalty, as your question implied.

Mr. BROWNE. I speak of the chart which I have shown you for identification. You know the chart I refer to, do you?

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Mr. ORTH. Yes; I sent that out. I should qualify that answer by saying with the exception of an initial number of about 4,000, which were sent to the 1,400 newspapers all over the country to which National Security League matters of all kinds are regularly sent: I sent out all the other charts.

Mr. BROWNE. Now, this same paper that I showed you, I want to mark that Exhibit 1.

(The paper was marked "Orth Exhibit 1" for identification.)

Mr. BROWNE. This paper that I have just called your attention to, the greater part of that is written by you, if you will examine it, beginning "100 per cent Americanism."

Mr. ORTH. Yes; the greater part of it is written by me.

Mr. BROWNE. So you qualify your answer to that extent, do you, that it was prepared by E. L. Harvey?

Mr. ORTH. Yes. When I answered you before, I thought you referred to the whole matter and not necessarily the authorship of it.

Mr. BROWNE. Now, in that statement it says:

One hundred per cent Americanism. Charles D. Orth, chairman of the National Security League congressional campaign committee will accompany these documents with the following appeal to the voters: Every candidate for Congress at the coming election will be judged by the wisdom, conscience, and 100 per cent Americanism of the people of his district. The effort of the National Security League to present to the voters the records of the candidates has met with approval in all parts of the country. The most important evidence of interest comes from the voters themselves, no stronger proof of which could exist than that many of the candidates for Congress who are at present Members of the House of Representatives have attacked the league on various and repeated occasions.

Continuing, down in your statement, you state:

Of the 435 congressional districts in the United States, there are approximately 165 which can be designated as close districts, in which the majority or plurality of the successful candidate in the congressional election of 1916 was not more than about 10 per cent of the total vote. It must be considered that only a net change of about one-half or 5 per cent would alter the result.

Now, you speak of 165 districts. Have you the records of those 165 districts?

Mr. ORTH. Yes.

Mr. BROWNE. Can you produce those here?

Mr. ORTH. I think so.

Mr. BROWNE. While we are going on with something else, just have your assistant there produce those. Now, you state further:

Defeat likely. The league, as a first step, directs attention to the close districts which are to pass on candidates with bad voting records in the present or previous Congress. In addition, a second selection has been made of the candidates whose records have been so bad that it seems an indispensable corollary of the work which the league has already done to present those records to the people of their districts, regardless of whether the districts are close or not.

Now, who selected the districts where you should make a strong effort to defeat the sitting Congressman?

Mr. ORTH. Nobody selected any districts in which we should make a strong effort to defeat Congressmen.

Mr. BROWNE. What do you mean; you state that right here?

Mr. ORTH. We selected certain districts in which we should make a strong educational effort in order to put before the people of the

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country in the way of literature from time to time sufficient information to enable them to use their wisdom and judgment in selecting proper Representatives to Congress.

Mr. BROWNE. Was not the purpose of that to defeat Congressmen?

Mr. ORTH. The immediate purpose of it was not.

Mr. BROWNE. What you state here:

Defeat likely. The league, as a first step, directs attention to the close districts which are to pass on candidates with bad voting records in the present or previous Congress.

What do you mean by "Defeat likely," at the head of that statement?

Mr. ORTH. Why, I should say I did not write that thing; it was a heading put in by Mr. Harvey. But I should say the meaning of it was that as a result of the educational work that the National Security League was carrying on, people in the districts might defeat Congressmen who had not voted right as to certain issues which we presented, provided those issues met with the approval of the people.

Mr. BROWNE. The purpose of this literature you sent out was to defeat Congressmen?

Mr. ORTH. The purpose of that literature, as I have stated, was to conduct an educational propaganda, so as to enlighten the people on their records, so that they could, in their wisdom, determine whether certain Congressmen should be elected.

Mr. BROWNE. What was the ultimate purpose of it? Wasn't it to defeat Congressmen?

Mr. ORTH. The ultimate purpose was to aid in calling the attention of the people of the country to certain conditions which the National Security League desired to call attention to.

Mr. BROWNE. Further on you state:

Strong but true. The Congress of the United States is the most important governmental agency with which the people of the country have to deal. There has in the past been remarkable apathy on the part of voters in regard to the selection of their representatives. The overwhelming issues which have been created by the war have served to concentrate the attention of the men and women of the country upon the vitally important functions of Congress. A chain can not be stronger than its weakest link. It is the solemn duty of every man and woman in the United States to see that the particular link which they forge to go in the congressional chain should be strong and true.

Don't you mean there that the Congressmen who did not meet with that acid test should be defeated by the people?

Mr. ORTH. No. I mean what I say. It is educational work. What you have just read could be addressed to a voter, a teacher, a child, or anybody in the country.

Mr. BROWNE. Now, what do you mean by this statement that you have identified in your paper, that has been signed by you here:

If your present Congressman has the vision and statesmanship which enables him to make a good record on preparedness and war measures, it is your duty to reelect him.

You advise them to reelect such Congressmen, do you not?

Mr. ORTH. Yes, sir.

Mr. BROWNE. And if they don't meet with that vision and statesmanship, according to your ideas of vision and statesmanship, then you ask the voters to defeat them, don't you?

Mr. ORTH. Yes.

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Mr. BROWNE. Well, that is what I supposed. Now, here is what you say, Mr. Orth. You make this statement:

> If you are a practical patriot, work hard in the ways we have indicated. Get your friends to do the same thing. Go to the polls and elect the right men.
>
> CHARLES G. ORTH,
> *Chairman of the Congressional Committee, National Security League.*

Now, how do you reconcile that statement with the answers you have just given to my questions that the Security League did not ask the defeat of any Congressman?

Mr. ORTH. Why, that it was educational work, telling the people of the country what to do in case, in their wisdom and conscience, the Congressman who was running, the candidate who was running, did not meet with their approval according to the standards we have ventured to point out to them.

Mr. BROWNE. Why didn't you send it out to the 435 congressional districts instead of to only 165 districts which you say were close and where you thought you could be effective?

Mr. ORTH. Send what out?

Mr. BROWNE. This same chart, and make the same efforts that you did?

Mr. ORTH. Why, the chart and the section from which you were reading, and every bit of the literature that the National Security League ever published in connection with this congressional campaign, was sent out indiscriminately to every part of the country.

Mr. BROWNE. Didn't you make more of an effort in 165 of the districts than you did in the rest?

Mr. ORTH. We did in those 165, but we did not confine the dissemination of the publications, by any means, to those districts.

Mr. BROWNE. Why did you make more of an effort to educate the people in 165 districts than you did in the others?

Mr. ORTH. Because we thought it would be much more useful in those districts, or some of those districts, than others.

Mr. BROWNE. Why?

Mr. ORTH. Because we thought it would be more useful.

Mr. BROWNE. You state that they were close districts and you could be more effective, didn't you?

Mr. ORTH. Yes.

Mr. BROWNE. That was the reason, wasn't it?

Mr. ORTH. It would be a greater object lesson in education.

Mr. BROWNE. Then—a greater object lesson in education? You don't give that in your writings here as the reason. You say:

> The congressional election in 1916 was not more than about 10 per cent of the total vote. It must be considered that a net change of only about one-half of 5 per cent would alter the result.

Therefore you are sending this to 165 districts which can be designated as close districts?

Mr. ORTH. It was all educational. I venture to say that most of the people who received that did not know before what was stated in it.

Mr. BROWNE. No; the purpose of it was to elect Congressmen that the league thought would represent the country better, wasn't it?

Mr. ORTH. The league had no thought about any individual Congressman. Its sole dealings were with votes and records.

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Mr. BROWNE. Well, you don't explain why you sent it out to 165 districts simply because they were close.

Mr. ORTH. Why, the 165 districts that I mentioned there——

Mr. BROWNE (interposing). Now, take up the State of Missouri and let us see the districts that you concentrated your activities on in Missouri.

Mr. ORTH. May I refresh my memory?

Mr. BROWNE. Yes, sir.

Mr. ORTH (after consulting papers). Will you read the question, please?

(Reporter read the question as above recorded.)

We did not concentrate our activities in Missouri on any particular districts. The chart and all our publications were sent to everybody in Missouri whose names we could get, the same as they were to every other State. In Missouri the districts included in the 165 to which the Congressman has referred, there was the third district——

Mr. BROWNE (interposing). Who was running for Congress there?

Mr. ORTH. Mr. Alexander and Mr. Frost were running.

Mr. BROWNE. Is Mr. Frost a Republican?

Mr. ORTH. Yes; he is.

Mr. BROWNE. Well, now, did you send Judge Alexander's record there?

Mr. ORTH. We sent every record that we had. The committee knows that the records shown by the chart and the other literature which you have was supplemented by the questionnaire, which was sent to every candidate for Congress without regard to whether he had previously served in Congress or not, and it was explained that those questionnaires were desired to give Members of Congress and candidates for Congress an opportunity to state their own views and their own position.

Mr. BROWNE. Now, is your friend——

Mr. ORTH (interposing). Pardon me, I had not finished my answer.

In the third district we sent to that district—we had printed and sent to that district any questionnaires which we had received from either candidates. We made strong efforts to get replies to those questionnaires in order to have the presentation as complete as possible. And I wish to call the committee's particular attention to the fact that when we sent them out we sent them out to every newspaper in the district without any regard whatsoever to the politics of that newspaper, whether it was a daily or weekly, religious, agricultural, scientific, or anything else. In other words, in order to avoid any appearance of partisan effort in behalf of any individual, we simply took from Ayres' Newspaper Directory—we picked out at great expense and labor a complete list of every newspaper in the district, without any qualification or omission whatsoever.

Mr. BROWNE. You wanted to get as much publicity as possible for it?

Mr. ORTH. I did not say that. I stated why we did it, and your question is not a correct reflection of what I said.

Mr. BROWNE. Didn't you do it to get as much publicity as possible?

Mr. ORTH. No; we did not. We did it to be as fair as possible.

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Mr. BROWNE. You did it to get more publicity? The more newspapers you got to publish it the more publicity there was.

Mr. ORTH. If you mean publicity for the purpose of achieving fairness, yes; if you mean publicity in the suggestion of notoriety, no.

Mr. BROWNE. Now, have you got the 165 districts there, where you were specially active? I would just like to have you hand that over here and let us look at it, and we will be glad to put it in the record [referring to list].

Did you send statements to the papers in Missouri like the one I am going to read to you, the Hannibal County paper of Missouri, under date of October 24? You state in that:

An intensive campaign will be waged from now until election by the congressional committee of the National Security League with 94 congressional districts selected for a concentration of effort. Of the 435 congressional districts only 165 are classified as close, and in these districts the league will circulate its charts, giving the records of all these Members of Congress on the eight principal preparedness and war measures from the McLemore resolution to the Kahn amendment to the conscription act. Of the close districts 47 have been selected as a proper field for the league's best efforts. There are districts in which Congressmen who voted against these measures have been renominated. Among the voters of these districts the league will circulate copies of the chart and will pay particular attention to the record of the local Member of Congress, shown by his vote on past questions. In addition to showing the records of Congressmen on war questions, as indicated by these votes, the league proposes to exact from candidates pledges demanding an unconditional surrender as the only basis upon which negotiations can be based. To obtain the sentiment of candidates on the unconditional-surrender proposition the league has asked all of them to declare themselves. Their answers show that 90 per cent of them favor unconditional surrender as a necessary prelude to peace; while 10 per cent say they will follow the lead of President Wilson.

After taking the poll of the candidates the league wired to President Wilson that 90 per cent of the congressional candidates stood for a complete victory. The league announces that 500,000 of America's leading women have been enrolled to combat any movement toward a premature peace.

Now, you remember of sending out "boiler-plate" material of that kind, don't you, prepared by yourself?

Mr. ORTH. No, I do not; because I did not prepare any boiler plate whatsoever.

Mr. BROWNE. Well, didn't you prepare articles for the press?

Mr. ORTH. I don't know just how to answer that. I wrote circulars from time to time, and these various things which you have quoted from—yes; I should say yes to that.

Mr. BROWNE. On top of that you had "released for immediate publication."

Mr. ORTH. Yes.

Mr. BROWNE. And you state there are 165 districts, and in this article you got down to 47 after the nominations had been made—47 close.

Mr. ORTH. I don't see the connection between 165 and 47 in the way that you refer to it.

Mr. BROWNE. Well, you said here 165 were classified as close.

And in these districts the league will circulate charts giving the records of all Members of Congress on the eight principles of preparedness.

Then—

Of the close districts, 47 have been selected as a proper field for the league's best efforts.

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Now, have you got your 47? Can you give us the 47 out of the 165?

Mr. ORTH. Yes.

Mr. BROWNE. Where you made special efforts?

Mr. ORTH. I can.

Mr. BROWNE. I wish you would have those designated—what States they are. You have got them probably by States.

Mr. ORTH. Now, will you be kind enough to say again which particular 47 you wanted?

Mr. BROWNE. I want the 47 referred to in this article that I just read you.

Mr. ORTH. May I look at it?

Mr. BROWNE. I have just read it to you. It is part of the 165 districts there—47 out of those 165 where you considered the best efforts of the league could be used.

Mr. ORTH (after examining paper). My understanding, then, is that you want the 47 districts out of 165 in which Congressmen who voted against the test measures have been renominated by one or the other parties?

Mr. BROWNE. Yes. Now I want those 47 districts.

Mr. ORTH. The 47 out of the 165 were the first Colorado——

Mr. CARAWAY (interposing). Will you ask him to name who the sitting Member is in each case?

Mr. BROWNE. Yes; read the district and who is running for Congress in those districts.

Mr. ORTH. It will take some little time. I haven't got it all together. The first Colorado.

Mr. BROWNE. Who was running there?

Mr. ORTH. The candidates were Messrs. Stack and Vaile.

Mr. BROWNE. Was Stack a Republican, or what? Give the parties.

Mr. ORTH. I am not sure in every case. I think he was a Democrat. Vaile, I think, was a Republican, and Hilliard, I think, was running independently.

The twenty-fifth Illinois was the next, in which the candidates were Messrs. Rainey—H. T. Rainey—and Mr. Blaine. The twenty-first Illinois, the candidates were Messrs. Graham and Wheeler, Democrat and Republican, respectively. The twenty-second Illinois, in which the candidates were Perrin and Rodenberg, Democrat and Republican, respectively. The twenty-third Illinois, in which the candidates were Messrs. Foster and Brooke, Democrat and Republican. The twenty-fourth Illinois, in which the candidates were Messrs. Campbell and T. S. Williams, Democrat and Republican, respectively. The twenty-fifth Illinois, in which the candidates were Messrs. Woodard and Denison, Democrat and Republican, respectively.

The third Indiana, Messrs. Cox and Dunbar, Democrat and Republican. The fourth Indiana, Dixon and Denham, Democrat and Republican. The thirteenth Indiana, Barnhart and Hickey, Democrat and Republican.

The eleventh Iowa, Steele and Boies, Democrat and Republican.

The first Kansas, Whitney and Anthony, Democrat and Republican. The second Kansas, Martin, Little, and Gertrude Harman, Democrat, Republican, and Socialist. The third Kansas, Messrs. Pile, Campbell, and Mattox, Democrat, Republican, and Socialist.

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The fourth Kansas, Messrs. Doolittle, Hoch, and Armour, Democrat, Republican, and Socialist. The fifth Kansas, Helvering, Strong, and Myers.

Mr. HARRISON. Mr. Chairman, one moment, please. If he goes through this entire list here it will take about two hours.

Mr. BROWNE. There are only 47 altogether.

Mr. HARRISON. I was just going to suggest that those things be put into the record. We might save time in that way.

Mr. JOHNSON. He is making about four to the minute now.

Mr. HARRISON. All right; I withdraw the suggestion, then.

Mr. ORTH. The sixth Kansas, Connolly, White, and Beldy, Democrat, Republican, and Socialist. Seventh Kansas, Shouse, Tincher, and Mrs. Condron, Democrat, Republican, and Socialist. Eighth Kansas, Ayres, Mack, and Coble, Democrat, Republican, and Socialist.

Kentucky: Second district, Messrs. Kincheloe and Robinson, Democrat and Republican. Third district, Messrs. Thomas and Huntsman, Democrat and Republican. Fourth district, Messrs. Johnson and Haswell. Eighth district, Messrs. Helm and Davidson. Ninth district, Messrs. Field and Snedegar.

Michigan: First district, Doremus, Hanley, and Welch, Democrat, Republican, and Socialist. Second Michigan, Beakes, Michner, and Britmayer, Democrat, Republican, and Socialist, respectively.

Missouri: Sixth district, Dickinson and Atkeson, Democrat and Republican, respectively. Fourteenth district, Russell and Hayes, Democrat and Republican, respectively. Fifteenth district, Decker and McPherson, Democrat and Republican, respectively.

Montana: First district, Evans and Linderman, Democrat and Republican, respectively.

Nebraska: Third district, Stephens and Evans, Democrat and Republican, respectively. Fifth district, Shallenberger and Andrews, Democrat and Republican, respectively.

New York: Twelfth district, Goldfogle, Republican and Democrat, and London, Socialist.

North Carolina: Fifth district, Stedman and Kurfees, Democrat and Republican, respectively. Eighth district, Doughton and Linney, Democrat and Republican. Ninth district, Webb and Jonas, Democrat and Republican.

Ohio: Fifth district, Snook and Thompson, Democrat and Republican. Sixth district, Turnipseek and Kearns, Democrat and Republican. Eighth district, Key and Kole, Democrat and Republican. Thirteenth district, Overmyer and Begg, Democrat and Republican.

Oklahoma: Eighth district, Hyde, Democrat; Morgan, Republican; Branham, Socialist.

Pennsylvania: Seventeenth district, Aucker, Democrat; Focht, Republican. Eighteenth district, Mercer, Democrat, and Kreider, Republican.

South Dakota: Third district, Gandy, Democrat; Atwater, Republican; Ayres, Independent.

Washington: Fifth district, Dill, Democrat; Webster, Republican.

West Virginia: First district, Neely, Democrat, and Shuck, Republican.

Wisconsin: Second district, Clifford, Democrat; Voight, Republican; and Ameringer, Socialist.

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Wyoming: First district, White, Democrat; Mondell, Republican.

Mr. BROWNE. Is that all?

Mr. ORTH. Those are the 47.

Mr. BROWNE. Do you have any other notes in regard to those districts in your statement there? Do you have any other suggestions about your work there?

Mr. ORTH. Why, this statement of the list of names gives the party, which I wish to explain, was only put down because there was no other way of determining how close or otherwise the vote was and not with any partisan reason or thought whatsoever.

Mr. BROWN. What do you mean by the list of names, the list of names you have read?

Mr. ORTH. No; first the list of names of the previous Members; then the party; then the vote in that congressional district in 1917, so that we could determine from that whether it had been close or not: then a list of the number of bad votes, as shown by our chart; and then a list of the candidates in 1918; and then a memorandum saying "no contest," or "close," or "not close," and so on.

Mr. BROWNE. You mean by bad votes wrong votes?

Mr. ORTH. By bad votes I mean wrong votes, as shown by the chart.

Mr. BROWNE. You stated a list of names. Do you have any names of men that you have corresponded with in those districts?

Mr. ORTH. In this connection?

Mr. BROWNE. Yes.

Mr. ORTH. No.

Mr. BROWNE. Have you got any memorandum regarding those 47 districts—correspondence that you had with men in those districts?

Mr. ORTH. No; I have no completed memorandum. We have in the office what is called the candidates file, and in that candidates file the committee will find all the correspondence we ever had with any candidate, which was very small, indeed; any record that we have regarding a candidate, and anything whatsoever regarding the candidates of all parties, etc., with regard to the candidates from that particular district. I have no list of the candidates with whom we corresponded. We corresponded with a great many. For instance, we have dozens of letters from Members of the House of Representatives asking us for copies of the chart.

Mr. BROWNE. Did you sell those copies of the chart?

Mr. ORTH. We furnished copies of the chart to anybody who asked for them free of charge, when a single copy or two copies were asked for, with the exception that when any political organization or candidate asked for them in quantity we invariably made them pay the cost of printing.

Mr. BROWNE. What was the cost of printing?

Mr. ORTH. It varied. The first issue of the chart cost 3 cents apiece, on account of the expense of setting up, etc.; and we charged 3 cents apiece for the charts which were sent out from the first edition, which I think was 10,000. The next issue, on account of some printing arrangements which were made, was slightly cheaper, and the last issue, I believe we had an electroplate of it made, and they cost very little.

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Mr. BROWNE. How many of these charts did you send out in all?

Mr. ORTH. We had 50,000 printed and sent out practically all of them.

Mr. BROWNE. Now, did you cooperate with the chairmen of the Republican or Democratic, or any of the committees, party committees, in any of these 47 districts?

Mr. ORTH. Absolutely not. We had no cooperation, direct or indirect, express or implied, at any time with any political manager or representative of any kind, and no head or any political organization or member of any political organization, directly or indirectly, had anything whatsoever to do with our work.

Mr. BROWNE. Now, right in connection with that, I want to call your attention to your bulletin which says, under the heading "To elect loyal Congress?" the following:

The league is planning a nonpartisan cooperation with Democratic and Republican congressional campaign committees to secure the election next fall of a Congress pledged to support the war and aid the President in the plans for its efficient conduct.

Mr. ORTH. Which number is that?

Mr. BROWNE. Well, it is September. It is the September bulletin. It is headed "To elect loyal Congress." How do you reconcile that statement with your statement that you did not cooperate with these Democrat or Republican congressional campaign committees?

Mr. ORTH. Will you read that question?

(The reporter read the question as above recorded.)

The previous question was with respect to what intervention—that was not the word used, but that was the sense of it, I think—what intervention the political parties had in the work of the league.

Mr. BROWNE. No; I asked if you cooperated.

Mr. ORTH. I answered that in the previous question. I answered they had none. Now, the National Security League did have some communication with members of the political organizations in two respects that I recall. First of all——

Mr. BROWNE (interposing). Well, do you wish to change your answer to the previous question?

Mr. ORTH. Not in the slightest. You asked me before whether anybody was intervening in the work of the league, any political organization intervening in the work of the league, and I said no. I repeat they did not.

Mr. BROWNE. I did not. I would like to have the reporter go back and read my question and the answer. Just read back there.

(The reporter read the record beginning:)

Mr. BROWNE. Now, did you cooperate with the chairman of the Republican, or Democratic, or any of the committees, party committees, in any of these 47 districts? and ending with:

Mr. BROWNE. Well, it is September. It is the September bulletin. It is headed, "To elect loyal Congress." How do you reconcile that statement with your statement that you did not cooperate with these Democratic or Republican congressional campaign committees?

Mr. BROWNE. Now I wish to have you answer that, Mr. Orth.

Mr. ORTH. Which question is that?

Mr. BROWNE. That last question. How do you reconcile your statement that they did not cooperate with the Democratic or Republican chairman of their respective parties, with your statement in your bulletin that you did cooperate with them?

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Mr. ORTH. Congressman, might I try and fix that in this September bulletin so I can get the context of it and see? I can't imagine now what it means.

Mr. BROWNE. Can you find it?

Mr. ORTH (after examining paper). No. Here is the bulletin. [Handing the paper to Mr. Browne.]

Mr. WEST. Mr. Browne, I think I can help you. What you are looking for is one of these bulletins or folders for the month of September [indicating], and I am trying to find it for you.

Mr. BROWNE. I can find it in a minute.

Well, did you or did you not cooperate in these 47 districts that you have read, or any of them, with the Democratic or Republican congressional committees?

Mr. ORTH. We did not.

Mr. BROWNE. You did not in any way?

Mr. ORTH. We did not except with this possible exception—I don't know whether it is pertinent to your question or not—that in the twelfth New York district the then president of the Security League, Mr. Menken, late in May or early in June had suggested to the——

Mr. BROWNE (interposing). Well, you did in that one district. With the exception of the New York district you did not cooperate?

Mr. ORTH. With the exception of that New York district we did not cooperate with any political organization for the election of any given candidate.

Mr. BROWNE. Did you cooperate with any of the candidates themselves in any of those districts?

Mr. ORTH. No; not unless some of the correspondence which you will find in our files would come under that heading. But we did not cooperate in the interest of any particular man.

Mr. BROWNE. Now in that statement I read you, "To elect loyal Congress," that implied that some of them were not loyal, didn't it?

Mr. ORTH. It implied what?

Mr. BROWNE. That those that you had marked as voting wrong were not loyal, didn't it?

Mr. ORTH. Yes and no. We left that to some extent—to a large extent—to the judgment, to the wisdom and conscience of the people to whom we sent out our educational literature.

Mr. BROWNE. Now, you have in your September Bulletin—a paper that you get out—you have an article entitled, "A loyal Congressman," and in that you proceed:

> There has been much discussion as to whether a Congressman's loyalty or war record should be judged according to the way he voted on the declaration of war and has voted since, or whether his opposition to antiwar measures looking to the military efficiency of the country should be counted against him.

Now, right along in that line you say:

> The league's committee analyzes the chart by individuals and by States. It shows that of the 374 men who sat in both Congresses, only 47 voted right on the 8 measures; that 7 voted wrong on all 8; 22 wrong on 7 of the measures; 30 wrong on 6, and 58 wrong on 5.
>
> Of the 88 Congressmen who sat only in the Sixty-fifth Congress, 68 voted right on both of the measures which came before them; 8 voted wrong on both; and 12 wrong on the other.

Now, to state that only 47 of the Congressmen out of a total of 374 voted right on these acid tests—don't you think that that had a tendency to give aid and comfort to the enemy?

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Mr. ORTH. No; I think that the voting of some of the Members as shown by the chart had a distinct tendency to aid and abet the enemy. I don't think that the showing of the chart did.

Mr. BROWNE. Now, for a league, an organization that calls itself a National Security League; that sent its literature all over the country—in fact, its literature probably went all over the world—which stated in substance that only 47 of the whole American Congress would pass the acid test on war measures—don't you think that would weaken the United States with the central powers and with our allies?

Mr. ORTH. Why, the article did not so state. It has been stated repeatedly——

Mr. BROWNE (interposing). I have quoted exactly what you said, that 47 votes——

Mr. ORTH (interposing). I beg pardon, Congressman; you put it wrong, and I wish to call the attention of this committee very strongly to the fact that it has been stated repeatedly on the floor of the House, and it has been stated repeatedly in this committee, that this National Security League has branded as disloyal all but 47 Members of Congress. That is not in accordance with the facts. If you will study that digest carefully, as it deserves to be studied, you will find that the National Security League mentions there only a certain number of men who voted wrong on all 8 measures on 7, 6, and on 5; and then mentions 47 men who voted right on all, leaving out of mention about 180 Members of Congress. Now, I think a great injustice has been done the National Security League.

Mr. BROWNE. In your articles here on "loyal Congressman," published by your league, you say:

> The league's committee analyzes the chart by individuals and by States.

I am reading it exactly—

> It shows that of the 374 men who sat in both Congresses, only 47 voted right on all 8 measures.

Now you stated right through what those eight measures were, the acid tests, and in your chart here you ask them what they are going to do about it, and your bulletin went out with your chart and was published, and this statement was published broadcast to all the country, wasn't it?

Mr. ORTH. It was.

Mr. BROWNE. In fact——

Mr. ORTH (interposing). Congressman, I beg pardon. Did you ask whether the bulletin went out with the chart—the bulletins? They never did.

Mr. BROWNE. The bulletins went out to all your members. Now I am calling your attention to a publication of the National Security League, "The security league publishes votes of Congressmen on eight measures," and ask to have that identified and marked "Exhibit 2."

(The paper was marked "Exhibit 2.")

Now I would just ask you if that was not some of your boiler-plate material?

Mr. ORTH. No; it was not.

Mr. BROWNE. Here is an exact copy sent out. [Indicating.]

Mr. ORTH (after examining paper). I am not a newspaper expert, and Mr. Harvey could assist you in this, but this looks to me very

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much as if it were set up by the newspaper printing it and not as if it were boiler plate.

Mr. BROWNE. Well, whether it was boiler plate or whether it was set up, your article that I called your attention to, Exhibit 2, was copied extensively through the United States, wasn't it?

Mr. ORTH. Yes, sir; it was. Sometimes it was only in part.

Mr. BROWNE. Now, reading from your own bulletin, Exhibit 2, you have as the title the different statements, "Rhode Island perfect." Then you give a list of States. "Seven wrong on all eight; 30 wrong on six; 58 wrong on five." Then you have "Roll of honor," in which you give the 47 that voted right on all the measures. Then you give State percentages.

Now, wouldn't a statement like that, like Exhibit 2 that I have shown you, tend to show that the American Congress was not back of the war or back of the President?

Mr. ORTH. That would depend entirely upon the interpretation of the individual reading it.

Mr. BROWNE. Wouldn't that tend, to the average voter taking the chart and taking this——

Mr. ORTH (interposing). No; it did not refer to things that happened after war was declared; it referred to things that had taken place some time before war was declared. It only referred to the declaration of war and the conscription bill. It did not refer to matters after that at all.

Mr. BROWNE. Then, what did you mean by "Roll of honor," and that "seven voted wrong on this," and "30 wrong on this other, and 58 wrong on five"?

Mr. ORTH. The roll of honor means what it says, that 47 voted right on all of these measures.

Mr. BROWNE. If they voted wrong on the acid tests or war measures——

Mr. ORTH (interposing). It doesn't say on war measures.

Mr. BROWNE. Well, it says on war measures and antiwar measures.

Mr. ORTH. You are reading in connection with the roll of honor. It doesn't say war measures in connection with the roll of honor.

Mr. BROWNE. Well, now, the heading of this article:

What are you going to do about it? National Security League's congressional campaign committee makes public to-day an article giving the votes in the House of Representatives on the eight principal preparedness and war measures considered by the Sixty-fourth and Sixty-fifth Congresses. The eight record votes used in the tabulation start with the McLemore resolution and ends with the Kahn amendment to the conscription bill. Charles G. Orth, chairman of the Security League committee explains that the antimeasures were selected——

Mr. ORTH (interposing). Antiwar measures.

Mr. BROWNE. Yes. [Reading:]

Antiwar measures were selected largely as the result of the position taken by President Wilson in opposition to the candidacy for reelection of Congressman Slayden, of Texas, who voted for the conscription bill and the declaration of war, but has been a consistent opponent of preparedness, and voted against the Kahn amendment eliminating the volunteer system from the conscription bill.

Now, wouldn't that and what follows, what I have read about those voting wrong, and the roll of honor, give the impression to anyone

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that read it, that the American Congress was not back of the President of the United States and back of the war?

Mr. ORTH. Why, it might.

Mr. BROWNE. And wouldn't it have more of a tendency to do that over abroad, over in Europe and in Germany, than it would in this country?

Mr. ORTH. It might, if it was circulated in Germany.

Mr. BROWNE. Well, then, if it gave that impression over in Germany and through Europe, wouldn't it tend to give aid and comfort to the enemy?

Mr. ORTH. Why, yes; but that aid and comfort might have been prevented if the votes had never been cast.

Mr. BROWNE. But they had been cast.

Mr. ORTH. They had been cast, that was a record of votes; not a record of opinion.

Mr. BROWNE. Well, you give your opinion as to whether they are right or wrong—the Security League does, doesn't it?

Mr. ORTH. Yes, distinctly.

Mr. BROWNE. And the fact that you call it "The National Security League" might have the effect abroad of making them think that it was an official organization, might it not?

Mr. ORTH. No, I don't think so.

Mr. BROWNE. Didn't some people in this country think that that was an official organization?

Mr. ORTH. Not to my knowledge, nor have I ever heard of the thought before.

Mr. BROWNE. Did you have anything to do with weeding out college professors of the country?

Mr. ORTH. Nothing whatever.

Mr. BROWNE. Who did have anything to do with that?

Mr. ORTH. I don't know. Oh, I assume that probably came under the head of the "Bureau on patriotism through education," but I have no knowledge of it.

Mr. BROWNE. That would be under whose direction?

Mr. ORTH. Dr. McElroy.

Mr. BROWNE. Did you know anything about the budget prepared, which you estimated to cost $1,200,000 a year, of your league?

Mr. ORTH. At the time it was prepared?

Mr. BROWNE. Yes.

Mr. ORTH. No.

Mr. BROWNE. Well, did you know anything about the budget being prepared?

Mr. ORTH. At the time; no.

Mr. BROWNE. Well, any time.

Mr. ORTH. After Congressman Frear made his statements in behalf of Representatives there was very considerable curiosity in the office of the National Security League as to what he could possibly have based his extravagant and wrongful statements on.

Mr. CARAWAY. Just a minute, there, Mr. Chairman. I don't think the statement of a Member of the House should be questioned in that way.

Mr. BROWNE. I am asking you when you first heard—will you read that question, please?

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(The reporter read the question, as follows: "Did you know anything about the budget prepared, which you estimated to cost $1,200,000 a year, of your league?")

Mr. BROWNE. I will ask you another question. Did you know that this budget was prepared, which indicated that the approximate cost of the work would be $1,200,000 a year, until Mr. Frear, you say, made some statement in a speech in Congress?

Mr. ORTH. I never heard of it before then.

Mr. BROWNE. Did you solicit any contributions for the league?

Mr. ORTH. I did.

Mr. BROWNE. When did you begin soliciting contributions?

Mr. ORTH. I think in June, 1918, shortly after I joined the league.

Mr. BROWNE. Who were some of the men that you went to for contributions? Give them all—all the men that you went to.

Mr. ORTH. I can't. I have no list of them.

Mr. BROWNE. Well, those that you can recall.

Mr. ORTH. I can't recall them, because I sent appeals for funds to, as nearly as I can remember, probably a thousand men or more.

Mr. BROWNE. Didn't you personally go to some of them?

Mr. ORTH. I may have personally written or gone to six or seven men.

Mr. BROWNE. Well, now, who are those six or seven men? Give their names.

Mr. ORTH. I went to Mr. Grace, a member of my committee, and my recollection is that he gave me a check. I went to Captain——

Mr. BROWNE (interposing). How much? Can't you remember it?

Mr. ORTH. No; I can not. I don't want to endeavor to remember it.

Mr. BROWNE. Who were the others besides Mr. Grace?

Mr. ORTH. You mean whom I went to personally?

Mr. BROWNE. Yes.

Mr. ORTH. I went to Captain Lucy, a member of my committee. Pardon me, I will answer you about Mr. Grace. [After consulting book.] He gave $100.

Mr. BROWNE. What is his business?

Mr. ORTH. Importer and exporter.

Mr. BROWNE. Of what?

Mr. ORTH. Oh, everything.

Mr. BROWNE. Sisal?

Mr. ORTH. No.

Mr. BROWNE. What?

Mr. ORTH. Why, his firm, W. R. Grace & Co., are probably the largest merchant firm in South America, and are importers of every known article of commerce from those countries.

Mr. BROWNE. They ship to England and France, don't they?

Mr. ORTH. I don't know. I imagine they must.

Mr. BROWNE. And import from there?

Mr. ORTH. I think their business in Europe is probably very small.

Mr. BROWNE. Now, who were the others that you asked for contributions from?

Mr. ORTH. I have got a full list of contributions I have received here, which I will be very glad to hand to the committee, and I will run through it to get the names of those to whom I went personally.

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Mr. BROWNE. You can give a list of those that you solicted yourself, can you?

Mr. ORTH. Approximately; yes. As I said, there were only a few of them, and they were simply people with whom I was in direct contact. Now, for instance, Mr. Corning, who introduced me to Mr. Menken, I asked him for money and he gave me $50.

Mr. BROWNE. Who is he?

Mr. ORTH. I said mining engineer. I don't know whether he was a civil or mining engineer, in New York.

Mr. R. Fulton Cutting gave me $100.

Mr. BROWNE. Who is Mr. Cutting?

Mr. ORTH. Mr. Cutting is a gentleman, so far as I know, who has no business and has devoted his life to philanthropic and charitable projects, and I believe was the originator of the Citizens Union of New York.

Mr. BROWNE. Who else did you solicit funds from?

Mr. ORTH. Cleveland H. Dodge gave me $100 on my personal letter.

Mr. BROWNE. Who is he?

Mr. ORTH. I can only repeat what I heard Mr. Menken testify to. He is a member of the firm of Phelps, Dodge & Co.

Mr. BROWNE. What is Phelps, Dodge & Co. engaged in?

Mr. ORTH. I think they are mining people. I think that is their principal business—operating mines.

Mr. BROWNE. Is that Dodge the same party that is in the Cleveland Dodge Co.?

Mr. ORTH. I said Cleveland Dodge.

Mr. BROWNE. The Cleveland Dodge Co. manufacture ammunition, don't they—guns?

Mr. ORTH. No; they do not. The name of the concern, according to my best knowledge, is Phelps, Dodge & Co., and they had nothing whatever to do with the manufacture of ammunition.

Mr. BROWNE. You say there that Dodge is not the same Dodge in the Cleveland Dodge Co.?

Mr. ORTH. I don't know any concerns called the Cleveland Dodge Co. or Cleveland Dodge & Co. I only know Mr. Cleveland H. Dodge. I don't know him personally; I simply know of him as a man of prominence in New York and a member of the firm of Phelps, Dodge & Co. I don't believe he has anything to do with the manufacture of ammunition. I don't know that his firm has, but I can't speak of my own knowledge.

Mr. BROWNE. You don't think that Cleveland H. Dodge has been engaged in the manufacture of ammunitions or guns or anything of that kind?

Mr. ORTH. I don't think so; and if he were, I don't think that it would be very reprehensible.

Mr. BROWNE. No; but I am just finding out the facts. I am just asking you about the facts.

Mr. ORTH. I also got $50 on my personal application from Mr. C. W. Erskine, who was a member of a chemical importing concern or an oil and varnish concern in New York; I don't know which.

I also got $25 from a Mr. De Witt Clinton Jones, whose son and my son were in the same regiment.

Mr. BROWNE. Who is Clinton Jones?

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Mr. ORTH. He is a gentleman who lives in Elizabeth, N. J., and is connected with the New York Dyewood Co., I think is the name of the firm.

Mr. BROWNE. Did you keep a special book with those that you solicited?

Mr. ORTH. Well, I practically solicited all of them. I am only giving you now the contributions that came as the result of my direct personal solicitation, either by letter or by word of mouth. I have a complete list of contributions which I received here, but most of them came in as a result of circular letters which I sent out.

Mr. BROWNE. You stated in your bulletin and in your literature that you sent out that you relied almost entirely on dollar subscriptions, did you not?

Mr. ORTH. I made no such—oh, I don't think I made any such statement, Congressman. It is, however, a fact that——

Mr. BROWNE (interposing). What statement did you make along that line?

Mr. ORTH. In printed matter sent out from the league?

Mr. BROWNE. Yes; in regard to relying upon membership contributions, dollar subscriptions?

Mr. ORTH. I don't recall that any printed matter which I sent out from the league had any reference to that fact. There may have been, but I doubt it very much.

Mr. BROWNE. You never saw any? What portion of your contributions were in dollar contributions?

Mr. ORTH. Why, I can't answer with any—I am not qualified to answer any questions about the finances of the National Security League, except from hearsay in the office there. I have nothing to do with the keeping of the accounts or the regulation of them.

Mr. BROWNE. Who is the man that keeps the accounts?

Mr. ORTH. The accounts are kept by Mr. Colhoun.

Mr. BROWNE. What is his first name?

Mr. LYDECKER. His initials are P. D.

Mr. BROWNE. You made some subscriptions yourself to the league, didn't you?

Mr. ORTH. Yes; I did.

Mr. BROWNE. How large?

Mr. ORTH. Five hundred dollars. But in connection with that I think I ought to explain—that will probably be found on the books of the league as a payment by me of $1,500 to the congressional campaign expense. When I arranged with Mr. Menken, under the auspices of the National Security League, he made a condition that I should guarantee approximately one-half of what he thought would be the expense of the work which I suggested, namely, $2,500—say, $2,500 being the one-half. When I went to the league office I handed the secretary certain checks, which I have already testified to as having received, together with my check for $1,500, at the same time handing the executive secretary a letter stating that it was understood that if the subscriptions which came in exceeded the amount of $1,000, being the difference between $2,500 which I guaranteed and the $1,500 which I paid in, that the money was to be refunded to me. Now, eventually I determined that my subscription to this

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work should be $500, so that the league should return me $1,000, and I will be glad to have them do it.

Mr. BROWNE. Did you ever put in a bill for it?

Mr. ORTH. Why, no. I spoke to Col. Lydecker about it and did not think it was necessary to put in a bill, because the entire matter was outlined in correspondence which took place at the time, in June.

Mr. BROWNE. So you were in the league entirely for philanthropic and patriotic purposes, were you?

Mr. ORTH. I was in the league entirely for patriotic purposes.

Mr. BROWNE. Are there any books now in your office that show the names of those people that you sent large quantities of your charts to—where you have sent one man maybe a thousand or five hundred?

Mr. ORTH. I think that the only records that exist of that would be bills which were rendered to those people for the charts. Might I ask if those bills were rendered?

Mr. BROWNE. Yes.

Mr. ORTH. Mr. West, were bills rendered in each case?

Mr. WEST. Yes; we also have a record of that.

Mr. BROWNE. Can you prepare, so you can file it here, a list of those that received 500 or 1,000 of those charts? Will you do that, Mr. Orth?

Mr. ORTH. I think I can tell you most of them from this book [indicating].

Mr. BROWNE. I wish you would do that, so it will not take up the time of the committee when we adjourn.

Did that book that you have just looked at show that you sent those charts—sold them to various campaign committees?

Mr. ORTH. In cases where they were sent to the campaign committees, yes; it would show that.

Mr. BROWNE. You remember now that they did?

Mr. ORTH. That the charts were sent?

Mr. BROWNE. Yes.

Mr. ORTH. Yes; I so stated previously in my testimony this afternoon, that they had been so sent.

Mr. BROWNE. Yet you consider that the league was not in politics at all when it was doing that?

Mr. ORTH. The league was not in politics, but notwithstanding that, various political organizations applied to the league for copies of the chart, and as I told you before, where they did so they were supplied at actual cost.

Mr. BROWNE. Did you have any reports from the executive committee in the various States—congressional committees of the league?

Mr. ORTH. You mean from the branches of the National Security League?

Mr. BROWNE. Yes; branches of the league.

Mr. ORTH. No; we did not, with the exception, I think, that there was some correspondence with the Chicago branch, and I think there was some wth the Los Angeles branch and possibly one other which I don't recall. But where the local branches were doing anything

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with regard to congressional campaigns, the national headquarters of the National Security League did not intervene in any way.

Mr. BROWNE. Do you have any idea how much the Illinois branch of your organization expended or raised?

Mr. ORTH. Not the slightest conception.

Mr. BROWNE. They never made any reports to you—financial statements?

Mr. ORTH. I never had any correspondence with any branch of the league regarding finances of any kind, or money of any kind.

Mr. BROWNE. Do you know who is the head or the treasurer of the Illinois branch of the league?

Mr. ORTH. No; I do not.

Mr. BROWNE. Your books would show that, wouldn't they?

Mr. ORTH. I think there is a roster of the branches of the National Security League which would probably show who was treasurer of the Illinois branch.

Mr. BROWNE. Do you have any idea how much the Massachusetts or Pennsylvania league branch of the National Security League raised for their campaigns for any of their work?

Mr. ORTH. I haven't the slightest conception either with respect to the work of this committee or with respect to the general work of the league itself.

Mr. BROWNE. Did you solicit from the Carnegie corporation?

Mr. ORTH. I did not.

Mr. BROWNE. Do you know who did?

Mr. ORTH. Only from the testimony I have heard here.

Mr. BROWNE. You never made any inquiry about it?

Mr. ORTH. As to who solicited from them?

Mr. BROWNE. Yes.

Mr. ORTH. Why, I have had some conversation with various members of the executive committee, heads of the departments, etc., with regard to funds of the league; and I have been told that a subscription had been made by the Carnegie something or other. I don't remember whether it was the corporation, foundation, or what.

Mr. BROWNE. You never solicited from Mr. Rockefeller, did you?

Mr. ORTH. No; I did not.

Mr. BROWNE. Did you solicit from Morgan?

Mr. ORTH. No; I did not.

Mr. BROWNE. Do you know who did solicit the subscription from Rockefeller or Morgan?

Mr. ORTH. I know nothing about any solicitations for funds of league, except the solicitations which I made for the particular use of the congressional committee. I say I know nothing, except such little matters of hearsay which I have already told you with regard to the Carnegie subscription, etc. I know nothing of my own knowledge about that.

Mr. BROWNE. When you solicited a man for a subscription to the congressional committee what did you say to him—just briefly? What did you say that you wanted the money for?

Mr. ORTH. I have got a copy of the circular here.

Mr. BROWNE. Well, when you solicited him orally—when you personally solicited him?

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Mr. ORTH. I told him I wanted some money to conduct an educational congressional propaganda.

Mr. BROWNE. For what purpose did you tell him?

Mr. ORTH. For the purpose of securing the best possible and most loyal men for Members of Congress.

Mr. BROWNE. Did you tell him anything about the present Congress?

Mr. ORTH. Why, there may have been some conversation in some of the interviews. I don't remember.

Mr. BROWNE. Did you tell him that only 47 were simon-pure patriots?

Mr. ORTH. I neved said that, so I could not have said it at that time or at any other time.

Mr. BROWNE. Well, did you tell him that only 47 were right?

Mr. ORTH. I solicited these subscriptions, I think, in June, and I then still had to learn about the 47 who were all right on all these eight measures included in the chart.

Mr. BROWNE. Well, when was this chart first gotten out and sent out?

Mr. ORTH. According to my best recollection, in July.

Mr. BROWNE. Do you remember a statement here in one of your bulletins stating that—

Gratifying results are being obtained by the league's congressional committee, which is prosecuting an aggressive, nonpartisan campaign in all parts of the country to insure the election to Congress this fall of men of demonstrated loyalty and ability?

Mr. ORTH. I don't recall that particular thing, but it sounds familiar.

Mr. BROWNE. That is what you were doing, wasn't it?

Mr. ORTH. It was part of what we were doing.

Mr. BROWNE. You appeared before a committee that was investigating the Sisal Trust, didn't you?

Mr. ORTH. I did.

Mr. BROWNE. What year was that?

Mr. ORTH. I think it was in 1916.

Mr. BROWNE. At whose request did you appear there?

Mr. ORTH. At my own. I don't know whether that is an illuminating answer or not. I requested to be allowed to be present and testify.

Mr. BROWNE. Did Mr. Fisher act as attorney for you at all there?

Mr. ORTH. No; he was attorney for the International Harvester Co.

Mr. BROWNE. You met him there, didn't you?

Mr. ORTH. I met him there.

Mr. BROWNE. That is all that I have.

Mr. JOHNSON. Do you want to ask the witness any questions, Mr. Caraway?

Mr. CARAWAY. We are going to adjourn at 5, and I think we might as well stop now.

Mr. HARRISON. I suggest that we adjourn for the afternoon.

Mr. JOHNSON. The committee is adjourned until 10 o'clock tomorrow morning.

(Whereupon, at 4.45 o'clock p. m., the committee adjourned until 10 o'clock a. m., January 15, 1918.)

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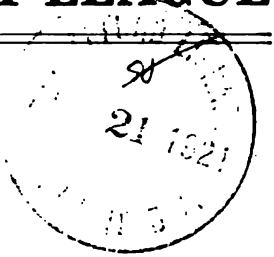
NATIONAL SECURITY LEAGUE



HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 15, 1919

PART 8

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Wednesday, January 15, 1919.

The committee met at 10 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committee will please come to order. Mr. Orth, will you take the witness stand? I believe Mr. Walsh desires to interrogate the witness.

STATEMENT OF CHARLES D. ORTH—Continued.

Mr. WALSH. How did you keep track of the proceedings of Congress?

Mr. ORTH. Of the proceedings of Congress?

Mr. WALSH. Yes.

Mr. ORTH. I have been a reader of the Congressional Record for, I should say, the past four years, and beginning—when I say a reader, I mean I have received it regularly at my office, and have glanced through every copy and have read everything which seemed of interest or importance, but have not read it word for word, so to speak. But, beginning early in 1918, I made a practice of reading it very thoroughly.

Mr. WALSH. That, of course, was about the time you began to work upon your suggestion to get out this congressional chart?

Mr. ORTH. Why, no. I should say—the Congressional chart—it was before that.

Mr. WALSH. Well, as I understand it, Mr. Orth, this congressional chart was the result of the suggestion made by you?

Mr. ORTH. It was.

Mr. WALSH. And you began to compile that some time in 1918?

Mr. ORTH. The chart was compiled in June and July, 1918,

Mr. WALSH. June and July of this last year. And prior to that time, during the year 1918, you began to read the Congressional Record very carefully?

Mr. ORTH. Yes, sir.

Mr. WALSH. And you are a subscriber to it?

Mr. ORTH. My firm has been a subscriber to it and the National Security League is a subscriber to it.

Mr. WALSH. Now, do you have an office in the National Security League headquarters?

Mr. ORTH. I have.

Mr. WALSH. And do you have another office in New York?

Mr. ORTH. I have.

Mr. WALSH. And you have the Record sent to your own office—your business office in New York?

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Mr. ORTH. I have.

Mr. WALSH. Do you receive any compensation from the National Security League?

Mr. ORTH. None whatever.

Mr. WALSH. Your expenses have been paid?

Mr. ORTH. I don't recall any instance—do you mean personal expenses that I incur, for instance, in coming to Washington, or anything of that kind?

Mr. WALSH. Have you not traveled for the league?

Mr. ORTH. No; I have not.

Mr. WALSH. All your activities have been restricted to New York City?

Mr. ORTH. They have.

Mr. WALSH. Now, you stated yesterday that the McLemore resolution was incorporated in that chart by you, the vote on the McLemore resolution?

Mr. ORTH. That is correct.

Mr. WALSH. Did you read carefully the proceedings of the House of Representatives in reference to the McLemore resolution?

Mr. ORTH. I read them, and I was also in the gallery of the House during part of the discussion.

Mr. WALSH. And how many days was that under discussion in the House?

Mr. ORTH. To my best knowledge, one day.

Mr. WALSH. Do you remember whether or not it had been acted upon in the Senate before it came up in the House?

Mr. ORTH. The Gore resolution, according to my best recollection, preceded the McLemore resolution by about five days.

Mr. WALSH. Now, is this No. 1 vote upon this chart in the language in which you drafted it for incorporation in the chart [indicating].

Mr. ORTH. Yes, sir.

Mr. WALSH (reading):

No. 1. McLemore resolution, March 7, 1916.
This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas.

Have you a copy of the McLemore resolution?

Mr. ORTH. I have.

Mr. WALSH. Will you read it, please?

Mr. ORTH (reading):

Resolved, That the President be requested to warn all American citizens within the borders of the United States or its possessions, or elsewhere, to refrain from traveling on any of those ships or any and all powers now or in future at war, which ship or ships shall mount guns, whether such ship be frankly avowed a part of the naval forces of the power whose flag it flies, or shall be called a merchant ship or otherwise, and whether such gun or guns, or other armament be called offensive or defensive; and in case American citizens do travel on such armed belligerent ships, they do so at their own risk.

Mr. WALSH. Now, were you in the House when the vote was taken?

Mr. ORTH. I can't recall. I don't believe I was.

Mr. WALSH. You examined the record of the vote in the Congressional Record, I assume?

Mr. ORTH. I did.

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Mr. WALSH. And you knew when you incorporated this language in the chart that the vote on the McLemore resolution came on the question of laying it on the table?

Mr. ORTH. I did.

Mr. WALSH. Now, why did you not incorporate that brief resolution as No. 1 on the chart, and set it forth in the language in which it was submitted to the House?

Mr. ORTH. Why, because I did not believe it would be readily understood by a lot of people with whom we were endeavoring to conduct an educational propaganda. I found in conversation with many men of ordinary intelligence that there was a great deal of confusion in their minds as to just what was going on in Congress with respect to this particular resolution; that there was a great deal of apprehension as to what tabling it might or might not mean, and I was convinced to put the measure itself in the chart as it read and simply to say "yea" or "nay" and so on, would lead inevitably to a misunderstanding on the part of a great many people whom we were trying to educate.

Mr. WALSH. And those were people of ordinary intelligence with whom you talked?

Mr. ORTH. Some of them were people of ordinary intelligence.

Mr. WALSH. And some of them were people of a little above the average intelligence?

Mr. ORTH. I can not generalize very well, Congressman.

Mr. WALSH. Did you talk with any of the officers of your league who did not quite understand the McLemore resolution?

Mr. ORTH. No; I did not.

Mr. WALSH. They all understood it?

Mr. ORTH. They all understood it—at least all to whom I talked.

Mr. WALSH. That is what I mean, all with whom you talked understood it, but you talked with some, perhaps subcaliber men who did not know what the McLemore resolution meant?

Mr. ORTH. I don't know what a "subcaliber" man is.

Mr. WALSH. Well, that is the term employed by the former president of the league to indicate——

Mr. ORTH (interposing). I don't understand it.

Mr. WALSH (continuing). To indicate Members of Congress who are a little below average ability and intelligence, and lacking in vision, as he outlined it in response to inquiries. Now, did you talk with men who were not following the doings of Congress and who were not familiar with the phraseology employed in many of the measures being considered, and whose only knowledge of what was going on was acquired through reading the headlines and glancing through articles in the daily press?

Mr. ORTH. I talked to a few such men; yes.

Mr. WALSH. And you found that those men did not quite understand what the McLemore resolution was?

Mr. ORTH. Why, I found that those men—that their recollection had apparently faded. It is possible that they may have understood quite fully at the time it was in the newspapers and prominent, but in 1918, apparently their recollection had somewhat faded.

Mr. WALSH. Mr. Orth, if you had set forth the McLemore resolution in your chart, in the language in which it was presented to the

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measure.
Mr. WALSH. When did you read the debat
Mr. ORTH. I heard part of it. I read i
Record at the time, and have since read it.

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Mr. WALSH. Did you read it before or at the time you were framing this No. 1 test for the chart?

Mr. ORTH. I read it at the time, and took the vote from the record after reading it.

Mr. WALSH. Now, if you had incorporated the McLemore resolution in full, and then had added the sentence which you have employed on that one test vote, the voters would have had the language of the resolution, and they would have had your interpretation of it, would they not?

Mr. ORTH. Surely.

Mr. WALSH. And they would have an opportunity to have seen just what the resolution was, and to have refreshed their recollection as to its effect and language, and also would have had the further assistance of the league's interpretation of the effect of that resolution?

Mr. ORTH. Yes.

Mr. WALSH. In other words, they would have more facts relating to it?

Mr. ORTH. They would have had more detailed facts, but no more substantial facts.

Mr. WALSH. They would have had the resolution, would they not?

Mr. ORTH. They would have had the resolution, which anybody interested could easily have obtained in any town library.

Mr. WALSH. And all they got was your interpretation of it as to its effect?

Mr. ORTH. All they got was the interpretation which I had gotten from what appeared to me to be the sentiment of a very distinct majority of the American people and the Members of the House of Congress.

Mr. WALSH. But you didn't say that this resolution was to the effect, in the opinion of the majority of the Members of the House of Representatives, that citizens should forego their natural, legal, and constitutional rights?

Mr. ORTH. No; it was manifestly impossible to express every thought that one can have in connection with any given subject and make it practicable.

Mr. WALSH. Yes, sir; that is true, but you were here setting forth eight important test votes to appeal to the voters of several congressional districts in the United States, to influence their action in a congressional election.

Mr. ORTH. I was setting forth eight measures to appeal to the voters, and everybody else in every congressional district in the United States; yes.

Mr. WALSH. Because there was a congressional election approaching?

Mr. ORTH. Why, because there was a congressional election approaching, and because the National Security League wished to conduct an educational campaign in connection with that congressional election.

Mr. WALSH. Well, they were not attempting to conduct any more of an educational campaign than a political stump speaker who goes out and advocates the election of parties to high political office, were they?

Mr. ORTH. They certainly were. That is entirely a matter of opinion and a matter of the facts, and I think those facts are demon-

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strable. If the National Security League was interested in a political campaign in the ordinary sense of the word and in the sense that you apparently intend to attach to it, when did its work begin to be political? Was it in June, when it was appealing—before there were any primaries at all—when it was appealing to the citizens of the country throughout to do everything they could in connection with the election of a first-class Congress in every respect, a win-the-war Congress, etc.; or did it begin to be political when the first primary was held? On the other hand, when did it cease to be political; the day after election? There is no election in sight now.

Mr. WALSH. You are asking me a lot of questions.

Mr. ORTH. I am making statements.

Mr. WALSH. Now, I am attempting to get your opinion. If I understand you right, Mr. Orth, you are using the word "political" as partisan politics. I don't mean that at all; but, sir, do you contend that in your activities as chairman of the congressional committee, in setting forth the records of Congress, and setting forth in pamphlets furnished to the press, that you were going to confine your activities to 47 close districts that you were not engaging in politics?

Mr. ORTH. The question is rather long. I would like to answer every point.

We did not confine—I can not answer every point because I can not remember every point.

Mr. WALSH. Will the stenographer repeat the question, please.

(The question was read as above recorded.)

Mr. ORTH. We were not attempting to engage in politice in the sense in which I understand your question to be framed. When I joined the activities of the National Security League——

Mr. WALSH (interposing). Well, you have answered the question. Mr. Orth. You said you were not attempting to engage in politics in the sense in which you understood my question to be framed. You were attempting to elect a win-the-war Congress.

Mr. ORTH. We were attempting to educate the people so that they would elect a win-the-war Congress; yes.

Mr. WALSH. Indirectly, through the medium of the voters of the country, you were attempting to have a win-the-war Congress elected?

Mr. ORTH. Indirectly, through the medium of generally educating the people of the country, whether voters or otherwise.

Mr. WALSH. You were attempting to educate the people?

Mr. ORTH. We were attempting to educate the people to the facts.

Mr. WALSH. And you had hopes that the education you were furnishing them would have some influence with them?

Mr. ORTH. We had hopes that the people would permit that education to influence their judgment; yes.

Mr. WALSH. Now then, Mr. Orth, if every Member of the Sixty-fifth Congress who was a candidate for reelection had been reelected to the Sixty-sixth Congress, would, in your opinion, a Congress that was not a win-the-war Congress have been chosen by the people?

Mr. ORTH. No; it would have been—no, I answer that, no.

Mr. WALSH. Do you know of any acts of disloyalty on the part of any Member of Congress in voting for or against measures in the Sixty-fifth Congress subsequent to the declaration of war on April 5?

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I have not in my literature used the word "loyal"
al" very frequently. It has been used in some of
re, I know, and where it has been so used I en-
it and agreed with it; but I think there may be
ling as to the conception of this committee with
l "loyalty" or "disloyalty," and the way that
it. When I say "personally" I mean I as chair-
-ional committee regard it. The word "loyalty"
egard as being loyal or disloyal to the judgment
majority of the American people; and I do not
it, that if the National Security League did as
wspaper in the land was doing, and as prac-
in their daily conversation was doing, and as
United States and the Commander in Chief of
of the United States did in several instances,
l "disloyalty" needs any defense.
t asking for a defense of the word "disloy-
uestion, if you knew of any act of a Member
ntatives which was disloyal, subsequent to
ration of war on April 5, in voting for or
easure. Now place your interpretation on

ay answer is that an examination of the
ld reveal some votes which were disloyal
at a vote against the Kahn amendment to
have been disloyal—that is, disloyal to
n people.
that at the time the Kahn amendment
ffered in the House, that the majority
in favor of conscription?
re is any question on earth about it.
se your opinion upon on that?
he newspapers of the United States;
ns of the people in the United States,
ority of the Members of the House

e happened to be a minority upon
e sense in which you use the word,

the sentiment of a predominant

al to the sentiment of the pre-
untry, they could still have been
y not?
on or insinuation involving the

een true to their oath of office.

"disloyal" or "loyal" by the
to the predominant sentiment

as I expressed it.

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Mr. WALSH. Well, I don't wish to ask any trick questions or be unfair, Mr. Orth, but that was the substance, as I understood it, of your interpretion of the word.

Mr. ORTH. Yes, Congressman; what I said is in the record.

Mr. WALSH. You mean that representatives voted against what was the predominant or overwhelming view of a large majority of the American people?

Mr. ORTH. That is what I mean.

Mr. WALSH. And if they voted contrary to that, they were disloyal to that sentiment, not to their country, and not violating their oath of office?

Cr. ORTH. That is what I mean.

Mr. WALSH. Number two, the Kahn Amendment to the Hay Army bill March 23, 1917: This amendment sought to increase the Regular Army to 178,000, or more nearly approaching the recommendations of the General Staff of the Army.

Is that your phraseology?

Mr. ORTH. No.

Mr. WALSH. That had been used by the league from July 1, 1916, had it not?

Mr. ORTH. It had.

Mr. WALSH. Within four months after the vote had been cast?

Mr. ORTH. Practically within four months after the vote had been cast.

Mr. WALSH. Have you any literature that the league circulated in July, 1916, prior to the congressional elections, containing those four test votes at that time?

Mr. ORTH. I have in my hand a pamphlet dated July 1, 1916, entitled "The Vote By States in the Senate and House of Representatives on Preparedness Measures."

Mr. WALSH. Will you hand that to the stenographer in order that it may become a part of the record?

Mr. ORTH. Yes, sir.

(The paper referred to was marked "Exhibit 3," and is as follows:)

EXHIBIT 3.

THE VOTE BY STATES IN THE SENATE AND HOUSE OF REPRESENTATIVES ON PREPAREDNESS MEASURES.

(National Security League.)

A RECORD OF CONGRESS PRIOR TO CALL FOR MOBILIZATION OF THE NATIONAL GUARD. JUNE 18, 1916.

[Issued by the National Security League (Inc.); national headquarters, 31 Pine Street, New York City. July 1, 1916.]

INTRODUCTION.

The attitude of Senators and Representatives in the United States Congress on the proposition of preparedness for national defense was officially recorded by roll calls in both branches of Congress on the Senate provision for a Regular Army of 250,000 men, and on section 56, providing for a Federal volunteer reserve. A majority of the Senate supported both of these provisions. In the House of Representatives a majority voted against both propositions.

A further record of the attitude of Members of the House of Representatives was made in the vote on the Kahn amendment to the Army bill, by which an

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ɔt was made to increase the Army beyond the number provided for by ɔuse bill, and also in the vote on the naval bill, when a proposition to e the provisions of the bill as reported by the House Naval Committee ɔted down.

these votes are here given in detail, so as to show, by State delegations, itude of each individual legislator.

he Senate the vote on section 56 was taken on a motion to strike it from ll; therefore a vote against this motion was a vote in favor of retaining deral volunteer reserve and in sympathy with preparedness. In the House ɔtion was put in reverse form, being a motion to adopt the section 56, herefore, a vote against in the House is one opposed to the volunteer re- and preparedness.

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Vote in Congress, by States, on preparedness measures.

House of Representatives: Kahn amendment[1] to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment[2] to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition[3] to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section;[4] May 8, 1916.	House of Representatives: Vote on motion to recommit national appropriation bill with instructions[5] for increase. June 2, 1916.
ALABAMA.	ALABAMA.	ALABAMA.	ALABAMA.
	United States Senate.	*United States Senate.*	
	Against—Bankhead, Underwood.	For—Bankhead. Not voting—Underwood (paired "for").	
	House of Representatives.	*House of Representatives.*	
Against—Gray, Dent, Steagall, Blackmon, Heflin, Oliver, Burnett, Almon, Huddleston. Not voting—Abercrombie.	Against—Abercrombie, Gray, Dent, Steagall, Blackmon, Heflin, Oliver, Almon. Not voting—Burnett (paired "against"), Huddleston (paired "against").	Against—Abercrombie, Gray, Dent, Steagall, Blackmon, Heflin, Oliver, Almon. Not voting—Burnett, Huddleston (paired "against").	Against—Abercrombie, Almon, Blackmon, Dent, Heflin, Huddleston, Oliver, Steagall. Not voting—Burnett (paired "against"), Gray (paired "against").
ARIZONA.	ARIZONA.	ARIZONA.	ARIZONA.
	United States Senate.	*United States Senate.*	
	For—Ashurst, Smith.	For—Ashurst, Smith.	
	House of Representatives.	*House of Representatives.*	
Against—Hayden.	Against—Hayden.	Against—Hayden.	Against—Hayden.
ARKANSAS.	ARKANSAS.	ARKANSAS.	ARKANSAS.
	United States Senate.	*United States Senate.*	
	Against—Robinson. Not voting—Clarke.	For—Robinson. Not voting—Clarke.	
	House of Representatives.	*House of Representatives.*	
Against—Caraway, Tillman, Jacoway, Taylor, Goodwin. Not voting—Oldfield, Wingo.	Against—Caraway, Oldfield, Tillman, Wingo, Jacoway, Taylor, Goodwin.	Against—Caraway, Oldfield, Tillman, Wingo, Jacoway, Taylor, Goodwin.	Against—Caraway, Oldfield, Tillman, Wingo, Jacoway, Taylor, Goodwin.

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	For—Phelan. Against—Works.	For—Works. Against—Phelan.	
	House of Representatives.	*House of Representatives.*	
For—Kent, Curry, Kahn, Nolan, Elston, Hayes, Stephens. Against—Raker, Church, Randall, Kettner.	For—Kent, Curry, Kahn, Nolan, Elston, Hayes, Stephens. Against—Raker, Church, Randall, Kettner.	For—Curry, Kahn, Nolan, Elston, Hayes, Stephens. Against—Raker, Church, Randall. Not voting—Kent, Kettner.	For—Kent, Curry, Kahn, Nolan, Elston, Hayes, Stephens. Against—Raker, Church, Randall, Kettner.
COLORADO.	COLORADO.	COLORADO.	COLORADO.
	United States Senate.	*United States Senate.*	
	Against—Shafroth, Thomas.	For—Shafroth. Against—Thomas.	
	House of Representatives.	*House of Representatives.*	
Against—Timberlake, Keating, Taylor. Not voting—Hilliard (paired "against").	For—Timberlake. Against—Keating, Taylor. Not voting—Hilliard (paired "against").	Against—Timberlake, Keating, Taylor. Not voting—Hilliard (paired "against").	For—Timberlake. Against—Hilliard, Keating, Taylor.
CONNECTICUT.	CONNECTICUT.	CONNECTICUT.	CONNECTICUT.
	United States Senate.	*United States Senate.*	
	For—Brandegee, McLean.	Against—Brandegee, McLean.	
	House of Representatives.	*House of Representatives.*	
For—Oakey, Freeman, Tilson, Hill, Glynn.	For—Oakey, Freeman, Tilson, Hill, Glynn.	For—Oakey, Freeman, Tilson, Hill Glynn.	For—Oakey, Freeman, Tilson, Hill. Not voting—Glynn (paired "for").
DELAWARE.	DELAWARE.	DELAWARE.	DELAWARE.
	United States Senate.	*United States Senate.*	
	For—du Pont. Not voting—Saulsbury.	Against—du Pont. Not voting—Saulsbury.	

[1] The Kahn amendment sought to increase the Regular Army to 178,000, more nearly approaching the recommendations of the General Staff than did the provisions of the Hay bill.

[2] This amendment provided for an Army of 250,000 as against the Hay provision for 140,000.

[3] The form of this proposition makes the vote "for" opposed to section 56. The form of the motion in the House makes the vote "against" in opposition to section 56.

[4] The vote "against" on this motion is opposed to section 56.

[5] These instructions included proposition to provide two dreadnaughts and other craft in addition to the capital ship program of five battle cruisers, etc.

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Vote in Congress, by States, on preparedness measures—Continued.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section; May 18, 1916.	House of Representatives: Vote on motion to recommit naval appropriation bill with instructions for increase. June 2, 1916.
	House of Representatives.	*House of Representatives.*	
For—Miller.	For—Miller.	For—Miller.	For—Miller.
FLORIDA.	FLORIDA.	FLORIDA.	FLORIDA.
	United States Senate.	*United States Senate.*	
	Not voting—Fletcher, Bryan.	Not voting—Fletcher, Bryan.	
	House of Representatives.	*House of Representatives.*	
Against—Sparkman, Clark, Sears. Not voting—Wilson (paired "against").	For—Wilson. Against—Clarke. Not voting—Sparkman, Sears (paired "against").	Against—Clark. Not voting—Sparkman, Wilson (paired "against"), Sears.	Against—Wilson. Not voting—Sparkman (paired "against"), Clark, Sears (paired "against").
GEORGIA.	GEORGIA.	GEORGIA.	GEORGIA.
	United States Senate.	*United States Senate.*	
	For—Smith, Hardwick.	For—Smith, Hardwick.	
	House of Representatives.	*House of Representatives.*	
Against—Park, Crisp, Adamson, Howard, Wise, Lee, Tribble, Bell, Vinson, Hughes. Not voting—Walker, Edwards.	Against—Edwards, Park, Crisp, Adamson, Howard, Wise, Tribble, Bell, Vinson, Walker, Hughes. Not voting—Lee (paired "against").	Against—Edwards, Park, Crisp, Adamson, Howard, Wise, Tribble, Bell, Vinson, Walker, Hughes. Not voting—Lee.	Against—Edwards, Park, Crisp, Adamson, Howard, Wise, Lee, Tribble, Bell, Vinson, Hughes. Not voting—Walker (paired "against").
IDAHO.	IDAHO.	IDAHO.	IDAHO.
	United States Senate.	*United States Senate.*	
	Against—Borah.	Against—Borah.	

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Against—McCracken.

ILLINOIS.

For—Chiperfield, Madden, Mann, Wilson, McDermott, McAndrews, Gallagher, Britten, Foss, Fuller, King, Stone, Cannon, McKinley, Wheeler, Dennison, Williams (Thos. S.).
Against—W. E. Williams, Sabath, Buchanan, McKenzie, Tavenner, Sterling, Rainey, Rodenberg, Foster.
Not voting—Copley (paired "for").

INDIANA.

For—Moores, Wood.
Against—Cullop, Cox, Dixon, Moss, Gray, Adair, Rauch, Cline, Barnhart.
Not voting—Lieb (ans. present) (paired "for"), Morrison (paired "against").

IOWA.

For—Sweet, Good, Dowell.
Against—Hull, Haugen, Ramseyer, Towner, Green, Woods, Steele.
Not voting—Kennedy (paired "for").

ILLINOIS.

United States Senate.

For—Sherman.
Against—Lewis.

House of Representatives.

For—Madden, Mann, Wilson, McDermott, McAndrews, Gallagher, Britten, Foss, Copley, Fuller, King, Stone, Cannon, McKinley, Wheeler, Denison, Chiperfield.
Against—Sabath, Buchanan, McKenzie, Tavenner, Sterling, Rainey, Rodenberg, Foster, T. S. Williams, W. E. Williams.

INDIANA.

United States Senate.

Against—Kern, Taggart.

House of Representatives.

For—Moores, Wood.
Against—Lieb, Cullop, Cox, Dixon, Moss, Gray, Adair, Morrison, Rauch, Cline, Barnhart.

IOWA.

United States Senate.

Against—Cummins, Kenyon.

House of Representatives.

Against—Kennedy, Hull, Sweet, Haugen, Good, Ramseyer, Dowell, Towner, Green, Woods, Steele.

ILLINOIS.

United States Senate.

For—Lewis, Sherman.

House of Representatives.

For—Mann, Wilson, Britten, Foss, Copley, Fuller, King, Cannon, McKinley, Wheeler, Chiperfield.
Against—Madden, McDermott, McAndrews, Sabath, Buchanan, Gallagher, McKenzie, Tavenner, Stone, Sterling, Rainey, Rodenberg, Foster, T. S. Williams, Denison, W. E. Williams.

INDIANA.

United States Senate.

Against—Kern, Taggart.

House of Representatives.

For—Moores, Wood.
Against—Lieb, Cullop, Cox, Dixon, Moss, Gray, Adair, Morrison, Rauch, Cline, Barnhart.

IOWA.

United States Senate.

For—Cummins, Kenyon.

House of Representatives.

Against—Kennedy, Hull, Sweet, Haugen, Ramseyer, Dowell, Towner, Green, Woods, Steele.
Not voting—Good (paired "against").

ILLINOIS.

For—Madden, Mann, Wilson, McDermott, McAndrews, Gallagher, Britten, Foss, Copley, McKenzie, King, Stone, Sterling, Wheeler, Rodenberg, T. S. Williams, Denison, Chiperfield.
Against—Buchanan, Tavenner, Rainey, Foster, Wm. E. Williams.
Not voting—Sabath, Fuller, Cannon (paired "for"), McKinley (paired "for").

INDIANA.

For—Wood.
Against—Lieb, Cullop, Cox, Dixon, Moss, Gray, Adair, Morrison, Rauch, Cline.
Not voting—Moores (paired "for"), Barnhart.

IOWA.

For—Kennedy, Hull, Sweet, Dowell, Towner, Green, Woods.
Against—Haugen, Good, Ramseyer, Steele.

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Vote in Congress, by States, on preparedness measures—Continued.

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KANSAS.	KANSAS.	KANSAS.	KANSAS.
	United States Senate.	*United States Senate.*	
	Against—Thompson, Curtis.	For—Curtis. Not voting—Thompson.	
	House of Representatives.	*House of Representatives.*	
Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	For—Campbell. Against—Taggart, Doolittle, Helvering, Connelly, Shouse, Ayres. Not voting—Anthony (paired "for").
KENTUCKY.	KENTUCKY.	KENTUCKY.	KENTUCKY.
	United States Senate.	*United States Senate.*	
	For—James. Against—Beckham.	For—James. Against—Beckham.	
	House of Representatives.	*House of Representatives.*	
For—Langley, Powers. Against—Barkley, Kincheloe, Thomas, Sherley, Rouse, Cantrill, Helm, Fields. Not voting—Johnson.	For—Powers. Against—Barkley, Kincheloe, Thomas, Johnson, Sherley, Rouse, Helm, Fields. Not voting—Cantrill, Langley.	For—Sherley, Fields. Against—Barkley, Kincheloe, Thomas, Johnson, Rouse, Helm, Powers. Not voting—Cantrill, Langley.	For—Powers. Against—Barkley, Kincheloe, Thomas, Johnson, Sherley, Rouse, Helm, Fields. Not voting—Cantrill (ans. present; paired "against"), Langley (paired "for").
LOUISIANA.	LOUISIANA.	LOUISIANA.	LOUISIANA.
	United States Senate.	*United States Senate.*	
	For—Broussard. Against—Ransdell.	For—Ransdell. Against—Broussard.	

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MAINE.

For—Hinds, Peters, Guernsey.
Against—McGillicuddy.

MARYLAND.

For—Coady, Mudd.
Against—Price, Talbott, Linthicum, Lewis.

MASSACHUSETTS.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tague, Tinkham, Gallivan, Carter, Olney, Greene, Walsh.

MAINE.

United States Senate.

For—Johnson, Burleigh.

House of Representatives.

For—Guernsey.
Against—McGillicuddy.
Not voting—Hinds, Peters (paired "for").

MARYLAND.

United States Senate.

For—Smith, Lee.

House of Representatives.

For—Price, Talbott, Coady, Linthicum, Mudd, Lewis.

MASSACHUSETTS.

United States Senate.

For—Lodge, Weeks.

House of Representatives.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tinkham, Carter, Olney, Greene, Walsh.
Not voting—Tague, Gallivan.

MAINE.

United States Senate.

Against—Johnson.
Not voting—Burleigh (paired "against")

House of Representatives.

For—Guernsey.
Against—McGillicuddy.
Not voting—Hinds, Peters (paired "for").

MARYLAND.

United States Senate.

For—Lee.
Against—Smith.

House of Representatives.

For—Coady, Mudd.
Against—Price, Talbott, Linthicum.
Not voting—Lewis.

MASSACHUSETTS.

United States Senate.

Against—Lodge, Weeks.

House of Representatives.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tinkham, Carter, Olney, Greene, Walsh.
Not voting—Tague, Gallivan,

MAINE.

For—Hinds, Peters, Guernsey.
Against—McGillicuddy.

MARYLAND.

For—Mudd.
Against—Price, Talbott, Coady, Linthicum, Lewis.

MASSACHUSETTS.

For—Treadway, Gillett, Paige, Winslow, Gardner, Phelan, Dallinger, Roberts, Tague, Tinkham, Gallivan, Carter, Greene, Walsh.
Not voting—Rogers (ans. present; paired "for"), Olney (paired "against").

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Vote in Congress, by States, on preparedness measures—Continued.

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KANSAS.	KANSAS.	KANSAS.	KANSAS.
	United States Senate.	*United States Senate.*	
	Against—Thompson, Curtis.	For—Curtis. Not voting—Thompson.	
	House of Representatives.	*House of Representatives.*	
Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	Against—Anthony, Taggart, Campbell, Doolittle, Helvering, Connelly, Shouse, Ayres.	For—Campbell. Against—Taggart, Doolittle, Helvering, Connelly, Shouse, Ayres. Not voting—Anthony (paired "for").
KENTUCKY.	KENTUCKY.	KENTUCKY.	KENTUCKY.
	United States Senate.	*United States Senate.*	
	For—James. Against—Beckham.	For—James. Against—Beckham.	
	House of Representatives.	*House of Representatives.*	
For—Langley, Powers. Against—Barkley, Kincheloe, Thomas, Sherley, Rouse, Cantrill, Helm, Fields. Not voting—Johnson.	For—Powers. Against—Barkley, Kincheloe, Thomas, Johnson, Sherley, Rouse, Helm, Fields. Not voting—Cantrill, Langley.	For—Sherley, Fields. Against—Barkley, Kincheloe, Thomas, Johnson, Rouse, Helm, Powers. Not voting—Cantrill, Langley.	For—Powers. Against—Barkley, Kincheloe, Thomas, Johnson, Sherley, Rouse, Helm, Fields. Not voting—Cantrill (ans. present; paired "against"), Langley (paired "for").
LOUISIANA.	LOUISIANA.	LOUISIANA.	LOUISIANA.
	United States Senate.	*United States Senate.*	
	For—Broussard. Against—Ransdell.	For—Ransdell. Against—Broussard.	

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For—Martin.
Against—Estopinal, Dupré, Watkins, Wilson, Morgan, Lazaro, Aswell.

MAINE.

For—Hinds, Peters, Guernsey.
Against—McGillicuddy.

MARYLAND.

For—Coady, Mudd.
Against—Price, Talbott, Linthicum, Lewis.

MASSACHUSETTS.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tague, Tinkham, Gallivan, Carter, Olney, Greene, Walsh.

House of Representatives.

Against—Estopinal, Dupré, Wilson, Morgan, Lazaro, Aswell.
Not voting—Martin, Watkins.

MAINE.

United States Senate.

For—Johnson, Burleigh.

House of Representatives.

For—Guernsey.
Against—McGillicuddy.
Not voting—Hinds, Peters (paired "for").

MARYLAND.

United States Senate.

For—Smith, Lee.

House of Representatives.

For—Price, Talbott, Coady, Linthicum, Mudd, Lewis.

MASSACHUSETTS.

United States Senate.

For—Lodge, Weeks.

House of Representatives.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tinkham, Carter, Olney, Greene, Walsh.
Not voting—Tague, Gallivan.

House of Representatives.

Against—Dupré, Wilson, Morgan, Lazaro, Aswell.
Not voting—Estopinal, Martin, Watkins.

MAINE.

United States Senate.

Against—Johnson.
Not voting—Burleigh (paired "against")

House of Representatives.

For—Guernsey.
Against—McGillicuddy.
Not voting—Hinds, Peters (paired "for").

MARYLAND.

United States Senate.

For—Lee.
Against—Smith.

House of Representatives.

For—Coady, Mudd.
Against—Price, Talbott, Linthicum.
Not voting—Lewis.

MASSACHUSETTS.

United States Senate.

Against—Lodge, Weeks.

House of Representatives.

For—Treadway, Gillett, Paige, Winslow, Rogers, Gardner, Phelan, Dallinger, Roberts, Tinkham, Carter, Olney, Greene, Walsh.
Not voting—Tague, Gallivan,

For—Dupré, Martin.
Against—Estopinal, Watkins, Wilson, Lazaro, Aswell.
Not voting—Morgan.

MAINE.

For—Hinds, Peters, Guernsey.
Against—McGillicuddy.

MARYLAND.

For—Mudd.
Against—Price, Talbott, Coady, Linthicum, Lewis.

MASSACHUSETTS.

For—Treadway, Gillett, Paige, Winslow, Gardner, Phelan, Dallinger, Roberts, Tague, Tinkham, Gallivan, Carter, Greene, Walsh.
Not voting—Rogers (ans. present; paired "for"), Olney (paired "against").

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Vote in Congress, by States, on preparedness measures—Continued.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section; May 8, 1916.	House of Representatives: Vote on motion to recommit naval appropriation bill with instructions for increase. June 2, 1916.
MICHIGAN.	MICHIGAN.	MICHIGAN.	MICHIGAN.
	United States Senate.	*United States Senate.*	
	Against—Smith. Not voting—Townsend.	Against—Smith. Not voting—Townsend.	
	House of Representatives.	*House of Representatives.*	
For—Smith, Hamilton, Mapes, Kelley, McLaughlin, Loud, Scott, James, Nichols. Against—Doremus, Beakes, Cramton. Not voting—Fordney.	For—Hamilton, Loud. Against—Beakes, Smith, Mapes, Kelley, Cramton, McLaughlin, Scott, Doremus. Not voting—Fordney, James, Nichols.	For—Hamilton, Mapes, Loud. Against—Doremus, Beakes, Smith, Kelley, Cramton, McLaughlin, Scott. Not voting—Fordney, James, Nichols.	For—Smith, Hamilton, Mapes, Kelley, Fordney, McLaughlin, Loud, Scott, James, Nichols. Against—Doremus, Beakes, Cramton.
MINNESOTA.	MINNESOTA.	MINNESOTA.	MINNESOTA.
	United States Senate.	*United States Senate.*	
	For—Nelson. Against—Clapp.	For—Clapp. Against—Nelson.	
	House of Representatives.	*House of Representatives.*	
For—Anderson, Ellsworth, Smith, Volstead, Miller, Steenerson, Schall. Against—Davis, Van Dyke, Lindbergh.	For—Miller. Against—Anderson, Ellsworth, Davis Van Dyke, Volstead, Steenerson. Not voting—Smith, Lindbergh, Schall.	Against—Anderson, Ellsworth, Davis, Van Dyke, Volstead, Miller, Steenerson. Not voting—Smith, Lindbergh, Schall.	For—Volstead, Schall. Against—Ellsworth, Van Dyke. Not voting—Anderson, Davis (paired "for"), Smith, Lindbergh (paired "for"), Miller, Steenerson (paired "for").
MISSISSIPPI.	MISSISSIPPI.	MISSISSIPPI.	MISSISSIPPI.
	United States Senate.	*United States Senate.*	
	For—Williams. Against—Vardaman.	For—Vardaman. Against—Williams.	

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MISSOURI.

For—Borland, Dyer.
Against—Lloyd, Rucker, Alexander, Booher, Dickinson, Hamlin, Shackleford, Meeker, Igoe, Hensley, Russell, Decker, Rubey.
Not voting—Clark (Speaker).

MONTANA.

Against—Stout, Evans.

NEBRASKA.

For—Reavis.
Against—Lobeck, Stephens, Sloane, Shallenberger, Kinkaid.

MISSOURI.

United States Senate.

Against—Stone, Reed.

House of Representatives.

For—Borland, Meeker, Dyer.
Against—Lloyd, Rucker, Alexander, Booher, Dickinson, Hamlin, Ingoe, Hensley, Russell, Decker, Rubey.
Not voting—Clark (Speaker), Shackleford, (paired "against").

MONTANA.

United States Senate.

Against—Myers, Walsh.

House of Representatives.

Against—Evans, Stout.

NEBRASKA.

United States Senate.

Against—Hitchcock, Norris.

House of Representatives.

Against—Reavis, Lobeck, Stephens, Sloan, Shallenberger, Kinkaid.

MISSOURI.

United States Senate.

Against—Stone, Reed.

House of Representatives.

Against—Lloyd, Rucker, Alexander, Booher, Dickinson, Hamlin, Meeker, Igoe, Dyer, Hensley, Russell, Decker, Rubey.
Not voting—Borland (paired "for"), Shackleford.

MONTANA.

United States Senate.

For—Myers.
Against—Walsh.

House of Representatives.

Against—Evans, Stout.

NEBRASKA.

United States Senate.

For—Norris.
Against—Hitchcock.

House of Representatives.

Against—Reavis, Lobeck, Stephens, Sloan, Shallenberger, Kinkaid.

Not voting—Humphreys (paired "against").

MISSOURI.

For—Meeker.
Against—Lloyd, Rucker, Alexander, Booher, Borland, Dickinson, Hamlin, Shackleford, Igoe, Hensley, Russell, Decker, Rubey, Clark (Speaker).
Not voting—Dyer (paired "for").
Note: Speaker Clark asked the Clerk to call his name, and voted "nay."

MONTANA.

Against—Evans, Stout.

NEBRASKA.

For—Reavis, Sloan, Kinkaid.
Against—Lobeck, Stephens, Shallenberger.

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Vote in Congress, by States, on preparedness measures—Continued.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section; May 8, 1916.	House of Representatives: Vote on motion to recommit naval appropriation bill with instructions for increase. June 2, 1916.
NEVADA.	NEVADA.	NEVADA.	NEVADA.
	United States Senate.	*United States Senate.*	
	For—Pittman. Not voting—Newlands.	Against—Pittman, Newlands.	
	House of Representatives.	*House of Representatives.*	
For—Roberts.	For—Roberts.	For—Roberts.	For—Roberts.
NEW HAMPSHIRE.	NEW HAMPSHIRE.	NEW HAMPSHIRE.	NEW HAMPSHIRE.
	United States Senate.	*United States Senate.*	
	For—Gallinger. Against—Hollis.	Against—Gallinger, Hollis.	
	House of Representatives.	*House of Representatives.*	
For—Sulloway, Wason.	For—Sulloway, Wason.	For—Sulloway, Wason.	For—Sulloway, Wason.
NEW JERSEY.	NEW JERSEY.	NEW JERSEY.	NEW JERSEY.
	United States Senate.	*United States Senate.*	
	For—Martine, Hughes.	For—Martine, Hughes.	
	House of Representatives.	*House of Representatives.*	
For—Browning, Bacharach, Scully, Hutchinson, Capstick, Hart, Drukker, Gray, Parker, Lehlbach, Eagan, Hamill	For—Browning, Capstick, Parker. Not voting—Bacharach (paired "for"), Scully (paired "for"), Hutchinson, Hart, Drukker (paired "for"), Gray (paired "for"), Lehlbach, Eagan, Hamill.	For—Capstick, Parker. Against—Browning. Not voting—Bacharach, Scully (paired "for"), Hutchinson, Hart, Drukker, Gray, Lehlbach, Eagan, Hamill.	For—Browning, Bacharach, Scully, Hutchinson, Capstick, Drukker, Parker, Lehlbach, Eagan, Hamill. Against—Hart. Not voting—Gray (paired "for").

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For—Hernandes.

NEW YORK.

For—Hicks, Caldwell, Flynn, Dale, Maher, Rowe, Swift, Haskell, Riordan, Loft, Farley, Conry, Dooling, Carew, Patten, Chandler, Siegel, Hulbert, Bruckner, Bennet, Oglesby, Husted, Platt, Ward, Sanford, Parker, Charles, Snell, Mott, Snyder, Fairchild, Magee, Gould, Pratt, Dunn, Danforth, Dempsey, Smith, Driscoll, Hamilton.
Against—Fitzgerald, London.
Not voting—Griffin.

NORTH CAROLINA.

Against—Small, Kitchin, Hood, Pou, Stedman, Godwin, Page, Doughton, Webb.
Not voting—Britt.

Not voting—Fall, Catron.

House of Representatives.

For—Hernandes.

NEW YORK.

United States Senate.

For—O'Gorman, Wadsworth.

House of Representatives.

For—Snell, Hicks, Dale, Rowe, Fitzgerald, Griffin, Swift, Haskell, Loft, Farley, Dooling, Carew, Patten, Chandler, Siegel, Bennet, Hulbert, Bruckner, Oglesby, Husted, Platt, Sanford, Parker, Charles, Mott, Snyder, Magee, Pratt, Dunn, Danforth, Dempsey, Smith, Gould.
Against—London.
Not voting—Caldwell, Flynn, Maher, Riordan, Conry, Ward, Fairchild (paired "for"), Driscoll, Hamilton (paired "for").

NORTH CAROLINA.

United States Senate.

For—Simmons.
Against—Overman.

House of Representatives.

For—Britt.
Against—Small, Kitchin, Hood, Stedman, Page, Doughton, Webb.
Not voting—Pou (paired "against"), Godwin.

Not voting—Fall, Catron.

House of Representatives.

For—Hernandes.

NEW YORK.

United States Senate.

Against—O'Gorman, Wadsworth.

House of Representatives.

For—Hicks, Dale, Rowe, Griffin, Swift, Haskell, Loft, Farley, Dooling, Carew, Patten, Chandler, Siegel, Hulbert, Bruckner, Bennet, Oglesby, Husted, Platt, Sanford, Parker, Charles, Mott, Snyder, Magee, Pratt, Dunn, Danforth, Dempsey, Smith, Snell, Gould.
Against—Fitzgerald, London.
Not voting—Caldwell, Flynn, Maher, Riordan, Conry, Ward, Fairchild (paired "for"), Driscoll, Hamilton.

NORTH CAROLINA.

United States Senate.

For—Simmons, Overman.

House of Representatives.

Against—Small, Kitchin, Hood, Pou, Stedman, Page, Doughton, Webb, Britt.
Not voting—Godwin.

For—Hernandes.

NEW YORK.

For—Hicks, Caldwell, Flynn, Dale, Rowe, Griffin, Swift, Haskell, Loft, Farley, Dooling, Carew, Patten, Chandler, Siegel, Hulbert, Bruckner, Bennet, Oglesby, Husted, Platt, Ward, Sanford, Charles, Snell, Mott, Snyder, Magee, Gould, Pratt, Dunn, Danforth, Dempsey, Driscoll, Hamilton.
Against—Maher, Fitzgerald, Riordan, London, Smith.
Not voting—Conry (paired "against"), Parker (paired "for"), Fairchild (paired "for").

NORTH CAROLINA.

Against—Small, Kitchin, Hood, Pou, Stedman, Webb.
Not voting—Britt (answered present paired "for"), Page (paired "against"), Godwin, Doughton (paired "against").

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Vote in Congress, by States, on preparedness measures—Continued.

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NORTH DAKOTA.	NORTH DAKOTA.	NORTH DAKOTA.	NORTH DAKOTA.
	United States Senate.	*United States Senate.*	
	For—McCumber. Against—Gronna.	For—Gronna. Not voting—McCumber.	
	House of Representatives.	*House of Representatives.*	
Against—Helgesen, Young, Norton.	Against—Helgesen, Young. Not voting—Norton.	Against—Helgesen, Young. Not voting—Norton.	Against—Helgesen, Young, Norton.
OHIO.	OHIO.	OHIO.	OHIO.
	United States Senate.	*United States Senate.*	
	For—Harding. Against—Pomerene.	Against—Pomerene, Harding.	
	House of Representatives.	*House of Representatives.*	
For—Longworth, Russell, Matthews, Kearns, Williams, Emerson. Against—Allen, Gard, Fess, Key, Sherwood, Ricketts, Brumbaugh, Overmyer, Mooney, McCulloch, Ashbrook, Hollingsworth, Cooper, Gordon, Crosser. Not voting—Switzer (paired "against").	For—Russell, Kearns, Emerson. Against—Gard, Matthews, Fess, Key, Sherwood, Ricketts, Overmyer, McCulloch, Ashbrook, Hollingsworth, Cooper, Gordon, Crosser. Not voting—Longworth (paired "for"), Allen, Switzer, Brumbaugh, Williams, Mooney.	For—Emerson. Against—Gard, Russell, Matthews, Kearns, Fess, Key, Sherwood, Ricketts, Brumbaugh, Overmyer, McCulloch, Ashbrook, Hollingsworth, Cooper, Gordon, Crosser. Not voting—Longworth (paired "for"), Allen, Williams, Mooney, Switzer.	For—Longworth, Fess, Williams, Cooper, Emerson. Against—Allen, Gard, Russell, Switzer, Ricketts, Overmyer, McCulloch, Ashbrook, Hollingsworth, Gordon, Crosser. Not voting—Matthews (paired "for"), Kearns (paired "for"), Key (paired "against"), Sherwood, Brumbaugh (paired "against"), Mooney (paired "for").
OKLAHOMA.	OKLAHOMA.	OKLAHOMA.	OKLAHOMA.
	United States Senate.	*United States Senate.*	
	Against—Owen. Not voting—Gore.	For—Owen. Not voting—Gore.	

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Against—Davenport, Hastings, Carter, Murray, Thompson, Ferris, McClintic, Morgan.

OREGON.

For—Hawley, Sinnott, McArthur.

PENNSYLVANIA.

For—Crago, Lafean, Scott, Vare, Graham, Moore, Edmonds, Costello, Darrow, Butler, Watson, Farr, Heaton, Kiess, Focht, Kreider, Beales, Rowland, Keister, Hopwood, Temple, North, Miller, Porter, Coleman, Morin.
Against—Casey, Dewalt, Lesher, Bailey, Steele.
Not voting—Griest, McFadden, Liebel, Barchfield, Garland.

RHODE ISLAND.

For—O'Shaunnessy, Kennedy.
Not voting—Stiness (paired "for").

House of Representatives.

Against—Davenport, Hastings, Carter, Murray, Thompson, Ferris, McClintic, Morgan.

OREGON.

United States Senate.

For—Chamberlain.
Against—Lane.

House of Representatives.

For—Hawley, Sinnott, McArthur.

PENNSYLVANIA.

United States Senate.

For—Oliver.
Not voting—Penrose.

House of Representatives.

For—Moore, Edmonds, Farr, McFadden, Focht, Beales, Hopwood, Steele, Porter, Crago, Garland, Temple.
Against—Butler, Dewalt, Bailey, Miller.
Not voting—Vare, Graham, Costello, Watson, Griest, Casey, Heaton, Kiess, Lesher, Kreider, Rowland, Keister, Liebel, North, Coleman, Morin, Barchfeld, Lafean, Scott.

RHODE ISLAND.

United States Senate.

For—Lippitt, Colt.

House of Representatives.

For—O'Shaunnessy, Stiness, Kennedy.

House of Representatives.

Against—Davenport, Hastings, Carter, Murray, Thompson, Ferris, McClintic, Morgan.

OREGON.

United States Senate.

For—Lane.
Against—Chamberlain.

House of Representatives.

For—McArthur.
Against—Hawley, Sinnott.

PENNSYLVANIA.

United States Senate.

Against—Oliver.
Not voting—Penrose.

House of Representatives.

For—Edmonds, Darrow, Farr, Dewalt, McFadden, Hopwood, Porter.
Against—Moore, Butler, Watson, Focht, Bailey, Beales, Temple, Steele, Miller, Crago, Garland, Scott.
Not voting—Vare, Graham, Costello, Griest, Heaton, Kiess, Lesher, Kreider, Rowland, Keister, Liebel, North, Coleman, Morin, Barchfield, Lafean, Casey.

RHODE SLAND

United States Senate.

Against—Lippitt, Colt.

House of Representatives.

For—O'Shaunessy, Stiness, Kennedy.

Against—Hastings, Carter, Murray, Thompson, Ferris, McClintic, Morgan.

Not voting—Davenport.

OREGON.

For—Hawley, Sinnott, McArthur.

PENNSYLVANIA.

For—Crago, Garland, Lafean, Scott, Vare, Graham, Moore, Edmonds, Costello, Darrow, Butler, Watson, Farr, Heaton, Kiess, Focht, Kreider, Beales, Rowland, Keister, Hopwood, Temple, Steele, North, Porter, Coleman, Morin, Barchfeld.
Against—Casey, Dewalt, Lesher, Bailey Liebel.
Not voting—Griest (paired "for"), McFadden (paired "for"), Miller (paired "for").

RHODE ISLAND

For—O'Shaunnessy, Stiness, Kennedy.

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Vote in Congress, by States, on preparedness measures—Continued.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section; May 8, 1916.	House of Representatives: Vote on motion to recommit na al appropriation bill with instructions for increase. June 2, 1916.
SOUTH CAROLINA.	SOUTH CAROLINA.	SOUTH CAROLINA.	SOUTH CAROLINA.
	United States Senate.	*United States Senate.*	
	Against—Tillman, Smith.	For—Tillman, Smith.	
	House of Representatives.	*House of Representatives.*	
Against—Whaley, Aiken, Nicholls, Finley, Lever. Not voting—Byrnes (paired "against"), Ragsdale.	Against—Whaley, Byrnes, Aiken, Nicholls, Finley, Ragsdale, Lever.	Against—Byrnes, Aiken, Nicholls, Finley, Ragsdale, Lever. Not voting—Whaley.	Against—Whaley, Byrnes, Aiken, Nicholls, Finley, Ragsdale, Lever.
SOUTH DAKOTA.	SOUTH DAKOTA.	SOUTH DAKOTA.	SOUTH DAKOTA.
	United States Senate.	*United States Senate.*	
	For—Johnson, Sterling.	Against—Sterling, Johnson.	For—Johnson.
	House of Representatives.	*House of Representatives.*	
For—Johnson. Against—Dillon, Gandy.	For—Johnson. Against—Dillon, Gandy.	Against—Dillon, Johnson, Gandy.	Against—Dillon, Gandy.
TENNESSEE.	TENNESSEE.	TENNESSEE.	TENNESSEE.
	United States Senate.	*United States Senate.*	
	Not voting—Lea, Shields (paired "for").	Not voting—Lea, Shields.	
	House of Representatives.	*House of Representatives.*	
For—Sells, Austin. Against—Moon, Hull, Houston, Byrns, Padgett, Sims, Garrett, McKellar.	For—Sells, Austin. Against—Moon, Hull, Houston, Byrns, Padgett, Sims, Garrett, McKellar.	For—Sells, Austin. Against—Moon, Hull, Houston, Byrns, Padgett, Sims, Garrett, McKellar.	For—Sells, Austin. Against—Moon, Hull, Houston, Byrns, Padgett, Sims, Garrett, McKellar.

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Against—McLemore, Davis, Black, Dies, Young, Rayburn, Sumners, Hardy, Eagle, Burgess, Buchanan, Callaway, Stephens, Slayden, Garner, Smith.
Not voting—Gregg, Henry.

UTAH.

For—Howell.
Against—Mays.

VERMONT.

For—Greene, Dale.

Against—Culberson.

House of Representatives.

Against—Black, Dies, Young, Rayburn, Sumners, Hardy, Gregg, Eagle, Burgess, Buchanan, Henry, Callaway, Stephens, Slayden, Garner, Smith, Davis, McLemore.

UTAH.

United States Senate.

For—Sutherland.
Not voting—Smoot.

House of Representatives.

For—Howell.
Against—Mays.

VERMONT.

United States Senate.

For—Dillingham, Page.

House of Representatives.

For—Greene, Dale.

Against—Sheppard.

House of Representatives.

For—Smith.
Against—Black, Dies, Young, Rayburn, Sumners, Hardy, Gregg, Eagle, Burgess, Buchanan, Henry, Callaway, Stephens, Slayden, Garner, Davis, McLemore.

UTAH.

United States Senate.

Against—Sutherland.
Not voting—Smoot (paired "against").

House of Representatives.

Against—Howell, Mays.

VERMONT.

United States Senate.

For—Page.
Against—Dillingham.

House of Representatives.

Against—Greene, Dale.

Against—Davis, Black, Dies, Young, Rayburn, Sumners, Hardy, Eagle, Buchanan, Callaway, Stephens, Garner, Smith.
Not voting—Slayden (answered present; paired "against"), McLemore, Burgess, Henry, Gregg (paired "against").

UTAH.

For—Howell.
Against—Mays.

VERMONT.

For—Greene, Dale.

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Vote in Congress, by States, on preparedness measures—Continued.

House of Representatives: Kahn amendment to the Hay Army bill. Vote by States, March 23, 1916.	United States Senate: Brandegee amendment to the Hay-Chamberlain Army bill; vote by States, Apr. 18, 1916. House of Representatives: Senate's proposal to fix size of Regular Army at 250,000; vote by States in House, May 18, 1916.	United States Senate: Proposition to strike out section 56 of the Chamberlain (Senate) substitute which provided for a Volunteer Reserve Army wholly under Federal control; vote by States, Apr. 18, 1916. House of Representatives: Section 56, Chamberlain (Senate) substitute; vote in House to retain the section; May 8, 1916.	House of Representatives: Vote on motion to recommit naval appropriation bill with instructions for increase. June 2, 1916.
VIRGINIA.	VIRGINIA.	VIRGINIA.	VIRGINIA.
	United States Senate.	*United States Senate.*	
	Against—Swanson. Not voting—Martin (paired "against").	For—Swanson. Not voting—Martin (paired "for").	
	House of Representatives.	*House of Representatives.*	
For—Montague, Slemp. Against—Jones, Holland, Watson, Saunders, Glass, Hay, Carlin, Flood.	For—Montague, Slemp. Against—Jones, Holland, Watson, Saunders, Glass, Hay, Carlin, Flood.	Against—Jones, Holland, Montague, Watson, Saunders, Glass, Carlin, Hay, Slemp, Flood.	Against—Holland. Not voting—Jones (paired "against"), Montague (paired "against"), Watson (paired "against"), Saunders (paired "against") Glass (paired "against"), Hay (paired "against"), Carlin, Slemp (paired "for"), Flood (paired "against").
WASHINGTON.	WASHINGTON.	WASHINGTON.	WASHINGTON.
	United States Senate.	*United States Senate.*	
	For—Poindexter. Against—Jones.	For—Jones. Against—Poindexter.	
	House of Representatives.	*House of Representatives.*	
For—Hadley, Johnson. Against—La Follette, Dill. Not voting—Humphreys (answer present), (paired "for").	For—Humphreys, Hadley, Johnson. Against—La Follette, Dill.	For—Humphreys, Hadley, Johnson, La Follette. Against—Dill.	For—Humphreys, Hadleys, Johnson. Against—La Follette, Dill.
WEST VIRGINIA.	WEST VIRGINIA.	WEST VIRGINIA.	WEST VIRGINIA.
	United States Senate.	*United States Senate.*	
	For—Chilton. Not voting—Goff.	For—Chilton. Not voting—Goff.	

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For—Moss, Cooper, Sutherland. Against—Neely. Not voting—Littlepage.	For—Moss, Cooper. Against—Neely. Not voting—Littlepage (paired "against"), Sutherland.	For—Moss, Cooper. Against—Neely. Not voting—Littlepage(paired "against") Sutherland.	For—Bowers. Against—Neely, Littlepage. Not voting—Sutherland (paired "for"), Moss (paired "for"), Cooper (paired "for").
WISCONSIN.	WISCONSIN.	WISCONSIN.	WISCONSIN.
	United States Senate.	*United States Senate.*	
	For—Husting. Against—La Follette.	For—La Follette. Against—Husting.	
	House of Representatives.	*House of Representatives.*	
For—Cooper, Burke, Stafford, Frear, Lenroot. Against—Browne, Nelson, Reilly, Esch, Konop. Not voting—Cary.	For—Cooper, Burke, Cary, Satfford. Against—Nelson, Reilly, Esch, Browne, Frear, Lenroot.	For—Cooper, Cary, Stafford. Against—Burke, Nelson, Reilly, Esch, Browne, Konop, Frear, Lenroot.	For—Cooper, Stafford, Esch, Browne, Frear, Lenroot. Against—Nelson, Cary, Reilly, Konop. Not voting—Burke (paired "against").
WYOMING.	WYOMING.	WYOMING.	WYOMING.
	United States Senate.	*United States Senate.*	
	For—Clark, Warren.	Against—Clark, Warren.	
	House of Representatives.	*House of Representatives.*	
Against—Mondell.	Against—Mondell.	Against—Mondell.	Against—Mondell.
	Total Senate: For, 43; against, 37; not voting, 16.	Total Senate: For, 37; against, 40; not voting, 19.	
Total: For, 191; against, 213; answered present, 2; not voting, 27.	Total House: For, 142; against, 221; not voting, 69; answered "present," 1.	Total House: For, 109; against, 251; not voting, 71; answered "present," 2.	Total: For, 183; against, 189; not voting, 59; answered "present," 4.

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The foregoing votes are the only ones that show real preparedness record of the Senator or Representative.

Other so-called preparedness legislation has passed both Houses, most of which was without a record vote.

Bills increasing the number of midshipmen at the United States Naval Academy at Annapolis, Md., and cadets at West Point, N. Y., passed the House and Senate without record votes and were approved by the President.

House joint resolution No. 96, making the sum of $600,000 immediately available for the extension of building ways and equipment at the New York and Mare Island (Cal.) Navy Yards, passed the House and Senate without record votes and was approved by the President February 15.

Another joint resolution placed at the President's disposal approximately 20,000 additional regular troops for service in the Mexican campaign. There was a record vote in the Senate, but all votes favored the resolution.

Senate bill 1417, providing for the erection of a Government armor plant not to exceed $11,000,000, passed the Senate March 21. In the House this bill was incorporated in the naval appropriation bill, which passed the House and is now in committee of the Senate.

Mr. WALSH. Two, three, four, and five were the votes at that time, weren't they, in 1916?

Mr. ORTH. They are the votes which appear in Exhbit 3.

Mr. WALSH. Does it contain a tabulation of the votes of Members? I don't recall having seen that. May I see it one moment, please?

Mr. ORTH [handing pamphlet to Mr. Walsh]. Yes and no.

Mr. WALSH. This is headed: "The vote by States in the Senate and House of Representatives on preparedness measures." Then a shield on the title page with the words "National Security League," followed by a record of Congress prior to the call for mobilization of the National Guard, June 18, 1916. Issued by the National Security League (Inc.), national headquarters, 31 Pine Street, New York City, July 3, 1916.

The tabulation in this pamphlet, Mr. Orth, is by States, and the words "for" and "against" are used, are they not?

Mr. ORTH. Yes, sir.

Mr. WALSH. And there is a characterization of votes cast by the members of the various State delegations as to whether they were right or wrong?

Mr. ORTH. There is.

Mr. WALSH. Where is it?

Mr. ORTH. The introduction to the pamphlet reads:

The attitude of Senators and Representatives in the United States Congress on the proposition of preparedness for national defense was officially recorded by roll calls in both branches of Congress on the Senate provision for a Regular Army of 250,000 men, and on section 56, providing for a Federal volunteer reserve. A majority of the Senate supported both of these provisions. In the House of Representatives a majority voted against both propositions.

A further record of the attitude of Members of the House of Representatives was made in the vote on the Kahn amendment to the Army bill, by which an attempt was made to increase the Army beyond the number provided for by the House bill, and also in the vote on the Naval bill, when a proposition to enlarge th provisions of the bill as reported by the House naval committee was voted down.

All these votes are here given in detail, so as to show, by State delegations, the attitude of each individual legislator.

In the Senate the vote on section 56 was taken on a motion to strike it from the bill; therefore a vote against this motion was a vote in favor of retaining the Federal volunteer reserve and in sympathy with preparedness. In the House the motion was put in reverse form, being a motion to adopt the section 56, and, therefore, a vote against in the House is one opposed to the volunteer reserve and preparedness.

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The foregoing votes are the only ones that show real preparedness record of the Senator or Representative.

Other so-called preparedness legislation has passed both Houses, most of which was without a record vote.

Bills increasing the number of midshipmen at the United States Naval Academy at Annapolis, Md., and cadets at West Point, N. Y., passed the House and Senate without record votes and were approved by the President.

House joint resolution No. 96, making the sum of $600,000 immediately available for the extension of building ways and equipment at the New York and Mare Island (Cal.) Navy Yards, passed the House and Senate without record votes and was approved by the President February 15.

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Senate bill No. 1417, providing for the erection of a Government armor plant not to exceed $11,000,000, passed the Senate March 21. In the House this bill was incorporated in the naval appropriation bill, which passed the House and is now in committee of the Senate.

Mr. WALSH. That is the explanation?

Mr. ORTH. That is the explanation, sir.

Mr. WALSH. And yet there is nothing about right or wrong votes in that, is there?

Mr. ORTH. Not in that language; no, sir.

Mr. WALSH. And the words "right and wrong" are not used in connection with the votes cast?

Mr. ORTH. In this pamphlet; no.

Mr. WALSH. They use the words, "for or against preparedness."

Mr. ORTH. They do.

Mr. WALSH. But when those four test votes were incorporated into this chart you applied the words "right and wrong" to the votes of members.

Mr. ORTH. Yes, sir.

Mr. WALSH. You had nothing to do with framing the phraseology of two, three, four, and five?

Mr. ORTH. I did not.

Mr. WALSH. Do you know who did?

Mr. ORTH. I do not. I was not with the National Security League when this pamphlet was gotten out. It would be easy to ascertain.

Mr. WALSH. Do you know whether they had a committee on congressional activities at that time?

Mr. ORTH. I don't know. I believe not.

Mr. WALSH. Well, then, the next vote which you phrased was the Cooper amendment, March 1, 1917, No. 6.

Mr. ORTH. Yes, sir.

Mr. WALSH. It reads: "This amendment was designed to prohibit to American ships their legal right to carry arms or ammunition in their cargoes."

That is your interpretation.

Mr. ORTH. That was my description of the essence of the amendment.

Mr. WALSH. You say: "This amendment was designed." By whom did you mean it was designed?

Mr. ORTH. Why, I don't think I meant it in quite that sense. I meant in the sense that the effect——

Mr. WALSH (interposing). Well, why did you use different phraseology in that vote than you did in number one, when you say: "This

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resolution was to the effect?" You say: "This amendment was designed to prohibit to American ships."

Mr. ORTH. I don't know—a pure chance of diction.

Mr. WALSH. You didn't intend any hidden meaning in that?

Mr. ORTH. No; I did not.

Mr. WALSH. And the Cooper amendment would not have taken very much more space on the chart than that, would it?

Mr. ORTH. It would not.

Mr. WALSH. Do you think that people of ordinary intelligence and education would have been unable to have comprehended the scope of the Cooper amendment, had it been set forth on the chart?

Mr. ORTH. Yes; I think they would. They would not have mentally invisaged all that it means.

Mr. WALSH. But from what you said they would be able to mentally invisage all that it meant.

Mr. ORTH. From what I said they would have been able to mentally invisage the essence of the measure.

Mr. WALSH. You think that the language you employed would convey to the voters what was meant better than using the language of the Cooper amendment?

Mr. ORTH. Yes, sir.

Mr. WALSH (reading). "That no ship of American registry armed in the manner aforesaid shall carry cargo consisting in whole or in part of arms or ammunition consigned to a belligerent country, or to a citizen thereof."

Mr. ORTH. I do, because the amendment in the first place referred to ships armed in the manner aforesaid, which would immediately raise the question what manner was implied, and—that is the answer.

Mr. WALSH. But if that amendment had been printed immediately preceding your language, they would have had both the amendment and your interpretation of it, wouldn't they?

Mr. ORTH. They would.

Mr. WALSH. The people?

Mr. ORTH. They would.

Mr. WALSH. And there is nothing in your language to denote what it is an amendment to—to show what it is an amendment to?

Mr. ORTH. No; there is not.

Mr. WALSH. And for all that the voters could know from the language you impart, it might have been an amendment to the Constitution?

Mr. ORTH. It might have been an amendment to the Constitution from all the language implied.

Mr. WALSH. Now, Mr. Orth, how much study did you give to the bill, and the bill to which the amendment was offered, and to the Cooper amendment, so called?

Mr. ORTH. Why, I gave about the same amount of study that the average American citizen does: and it is more or less in that capacity that I appear here.

Mr. WALSH. Not as an expert on interpreting congressional enactments?

Mr. ORTH. No, sir.

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Mr. WALSH. Not as an expert on interpreting congressional enactments, and not as an expert in attempting to educate and enlighten the citizens of the country?

Mr. ORTH. No, sir; as a beginner in that endeavor.

Mr. WALSH. And not with any particular knowledge or grasp of international law?

Mr. ORTH. Not with any particular knowledge or grasp of international law, beyond what an average American citizen has.

Mr. WALSH. As I understand it, you are not an attorney, Mr. Orth?

Mr. ORTH. No, sir.

Mr. WALSH. In some of your literature, I think, whether you are responsible for using the language or not, the Cooper amendment is referred to as an embargo on arms. Would you consider the Cooper amendment to be an embargo?

Mr. ORTH. I would not.

Mr. WALSH. And the only effect that you give to the Cooper amendment is to prohibit to American ships their legal rights to carry arms or ammunition in their cargoes?

Mr. ORTH. Yes.

Mr. WALSH. Well, Mr. Orth, it did not prohibit to American ships their legal right to carry arms or ammunition in their cargoes, if they were not armed, did it?

Mr. ORTH. No; but they not only had the right, so far as my knowledge goes, to carry arms and ammunition in their cargoes, but they had the right to be armed.

Mr. WALSH. They could arm themselves, or they could be armed by the President?

Mr. ORTH. That is my best recollection, that they could arm themselves or be armed by the President.

Mr. WALSH. Could they be armed by the President prior to the passage of the bill to which the Cooper amendment was offered?

Mr. ORTH. It seems afterwards to have been proven that they might have been. I don't know whether they could have been.

Mr. WALSH. So that if the owners or masters of American ships had not taken advantage of the opportunity to arm their vessels, there was nothing to prevent them from carrying arms or ammunition in their cargoes?

Mr. ORTH. There was nothing, as I understand the subject, to prevent them from carrying arms or ammunition in their cargoes anyhow, except the German submarines.

Mr. WALSH. Did you understand that an American ship which had been armed by its owners could carry arms and ammunition in its cargo prior to the passage of this measure?

Mr. ORTH. I am entirely uncertain about that.

Mr. WALSH. Well, you must have had some idea on it when you employed this phraseology as describing the Cooper amendment.

Mr. ORTH. No; this was confined to the Cooper amendment. Your question would seem to bring it back to the general conditions which existed, without regard to the Cooper amendment.

Mr. WALSH. Well, Mr. Orth, wouldn't the ordinary citizen understand from reading your language that if the Cooper amendment had been adopted, American ships were going to lose some rights they previously had?

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Mr. ORTH. Yes; they would have so understood.

Mr. WALSH. Well, then, do you claim that American ships did have the right, if they were armed, to carry arms and ammunition in their cargoes?

Mr. ORTH. I do.

Mr. WALSH. You contend that?

Mr. ORTH. I contend that.

Mr. WALSH. You knew that this country was a neutral nation under the proclamation of the President at that time, didn't you?

Mr. ORTH. I did.

Mr. WALSH. And didn't you know that the shipment of arms and ammunitions in a ship bearing arms would be a violation of that proclamation of neutrality?

Mr. ORTH. No, sir; I did not.

Mr. WALSH. Do you contend that it would not have been a breach of international law, or a violation of our neutrality?

Mr. ORTH. My impression is that it would not have been a breach of neutrality.

Mr. WALSH. That is your impression?

Mr. ORTH. That is my belief and opinion.

Mr. WALSH. What is that based on?

Mr. ORTH. Why, it is based on the fact that during the Boer war, according to the Congressional Record, ammunition was freely carried by nations who were neutral in the war, and freely sold by neutral nations to belligerents.

Mr. WALSH. Yes.

Mr. ORTH. And it is also based on the fact that my reading of the record indicates that that was clearly the international law.

Mr. WALSH. And it was carried on ships that were bearing arms—that were armed?

Mr. ORTH. Carried on ships that were armed—I beg pardon; you referred to during the Boer war?

Mr. WALSH. Yes.

Mr. ORTH. No; I don't know that they were armed.

Mr. WALSH. Well, my question was as to whether or not the shipment of arms and munitions of war to the belligerent nations upon armed merchant ships would not have been a breach of international law and a violation of our neutrality, in your opinion.

Mr. ORTH. In my opinion it would not, in view of the circumstances which existed at the time.

Mr. WALSH. And of course the circumstances which existed, you refer to the attacks by submarines that were constantly being made?

Mr. ORTH. To the illegal attacks by submarines that were constantly being made.

Mr. WALSH. Did you consult with any international lawyer as to the effect of the Cooper amendment?

Mr. ORTH. No, sir.

Mr. WALSH. You based your knowledge as to its effect upon reading the Congressional, and your own impressions?

Mr. ORTH. Upon reading the Congressional Record; upon reading the newspapers, both daily and weekly, particularly those newspapers which aimed and did give the general opinion all over the country; and by the reading of the Congressional Record, and by the votes of the House of Representatives.

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Mr. WALSH. They were in the Congressional Record, weren't they?

Mr. ORTH. They were in the Congressional Record; yes, sir.

Mr. WALSH. Number 7, "Declaration of war against Germany." That is your phraseology?

Mr. ORTH. Yes, sir.

Mr. WALSH (reading). "Kahn amendment to conscription act. This provided for raising by conscription of the necessary Army to give effect to the declaration of war."

Is that your understanding of the Kahn amendment to the conscription act?

Mr. ORTH. That is my understanding of the essential interpretation of the Kahn amendment to the conscription act.

Mr. WALSH. Did you hear any of that debate?

Mr. ORTH. You mean from the gallery?

Mr. WALSH. Yes, sir.

Mr. ORTH. No; I did not.

Mr. WALSH. Or anywhere else?

Mr. ORTH. No; I only read of it.

Mr. WALSH. You read of it in the Congressional Record?

Mr. ORTH. I read it in the Congressional Record and in the newspapers.

Mr. WALSH. Well, I am asking about the debate. Would you get any more accurate report of the debate in the newspapers than you would in the Record?

Mr. ORTH. Not as accurate, sir.

Mr. WALSH. Now, do you understand that the act that was reported for raising the Army was the conscription act?

Mr. ORTH. The act that was reported for raising the Army, according to my understanding, in its original form voted for the raising first of 500,000 volunteers in the discretion of the President; then for another 500,000 volunteers in the discretion of the President, and then only, permitted conscription.

Mr. WALSH. After a million men had been raised by volunteering?

Mr. ORTH. After an attempt to raise a million men by volunteering had been made.

Mr. WALSH. That was your understanding?

Mr. ORTH. That was my understanding secured from the Congressional Record of April 25.

Mr. WALSH. I am asking you if that is your understanding?

Mr. ORTH. That is my understanding of it.

Mr. WALSH. Now that was the Kahn amendment?

Mr. ORTH. Kahn amendment was an amendment to strike out that—the Kahn amendment included chiefly an amendment to strike out that provision calling for the raising of 500,000 volunteers, and then another 500,000 volunteers.

Mr. WALSH. The effect of the Kahn amendment was, in your judgment, to dispense altogether with the volunteering, as provided for in that bill?

Mr. ORTH. That was my understanding of it.

Mr. WALSH. And is that your understanding of it now?

Mr. ORTH. It is.

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Mr. WALSH. Which of the eight tests do you consider the most important as showing the loyalty of the House of Representatives to the predominant sentiment of the country?

Mr. ORTH. Number 7.

Mr. WALSH. The declaration of war?

Mr. ORTH. The declaration of war.

Mr. WALSH. And who voted against the declaration of war, in your judgment, were still true to their oaths of office?

Mr. ORTH. Who voted against the declaration of war in my judgment should not by so doing violate their oaths of office.

Mr. WALSH. And they did not by so doing, become traitors to their country in the ordinary sense in which that word is used?

Mr. ORTH. No; I do not think it fair to say that.

Mr. WALSH. Mr. Orth, if this chart had been compiled in the same manner in which the previous circulars had been sent out, namely, showing votes for and against certain measures, it would have conveyed just as much information and would have been of as much educational value as it would by using the words "right" and "wrong"?

Mr. ORTH. I do not believe it would.

Mr. WALSH. Well, it would have shown the facts—that a man voted for or against a certain measure.

Mr. ORTH. It would have shown that particular fact in addition to the facts which it did show.

Mr. WALSH. Well, now, what facts does it show in addition to that one?

Mr. ORTH. It shows whether men voted right or wrong on a certain number of measures regarding the right and wrong of which there was no question in the minds of the majority of the American people at the times that those votes were cast and upon which the press of the country to a very large majority also subscribed.

Mr. WALSH. Well, do you think the American people on March 7, 1916, had any opinion as to whether it was right or wrong to lay the McLemore resolution on the table?

Mr. ORTH. Why, I think at that time that the American people, the press of the country, the President of the United States and the Commander-in-Chief of the Army and Navy of the United States.

Mr. WALSH. I am not talking about the President or the commander in chief or the press or the Chief Executive or leading peace commissioner or anything else; I am asking about the American people whether they thought it right or wrong to lay the McLemore resolution on the table? What did they think?

Mr. ORTH. They thought that it was right to lay the McLemore resolution on the table.

Mr. WALSH. Did they think so before it was done?

Mr. ORTH. I believe they did.

Mr. WALSH. So then the American people preferred that instead of voting directly on the McLemore resolution that Congress should lay it on the table?

Mr. ORTH. I don't think the American people gave a cuss about how it was voted on—that is, whether it was voted on directly or indirectly——

Mr. WALSH (interposing). They were not losing very much sleep over the McLemore resolution?

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Mr. ORTH. They were not losing very much sleep over the method on which it was voted; they were losing more sleep over its essence.

Mr. WALSH. What would have been the effect if the McLemore resolution had passed the House of Representatives?

Mr. ORTH. If it had been laid on the table?

Mr. WALSH. If it had passed the House of Representatives instead of being laid on the table?

Mr. ORTH. Why, the effect of it would have been to send the light of joy to the hearts of the people in certain foreign countries and to stab your own President in the back.

Mr. WALSH. Whose language is that you are using?

Mr. ORTH. The Senator Harrison's.

Mr. HARRISON. What is that?

Mr. WALSH. You mean Senator-elect Harrison?

Mr. ORTH. I beg your pardon; I wish to be technically correct.

Mr. WALSH. I did not ask you what Senator Harrison thought about it, I asked you what would have been the effect if the McLemore resolution had passed the House of Representatives?

Mr. ORTH. That in my opinion would have been its effect.

Mr. WALSH. Its legal effect?

Mr. ORTH. No; that would have been its moral effect.

Mr. WALSH. Well, what would have been its legal effect?

Mr. ORTH. Its legal effect would have been to deprive American citizens of their legal rights.

Mr. WALSH. Their natural, legal, and constitutional rights?

Mr. ORTH. Yes, sir.

Mr. WALSH. To travel on the high seas?

Mr. ORTH. Yes, sir.

Mr. WALSH. Quoting from the chart, that would have been its legal effect in your opinion, would have it?

Mr. ORTH. I beg your pardon—would that have been its legal effect, did you ask?

Mr. WALSH. In your opinion?

Mr. ORTH. It deprives American citizens of their rights; yes.

Mr. WALSH. If it had passed the House, instead of being laid upon the table?

Mr. ORTH. If it had passed the House—pardon me a moment—if it had passed the House, instead of being laid on the table, what would have been the legal effect of it?

Mr. WALSH. Do you know that the McLemore resolution was a House resolution?

Mr. ORTH. I do.

Mr. WALSH. Knowing that fact then, you say the legal effect of it would have been to deprive American citizens of their natural, legal, and constitutional rights to travel on the high seas?

Mr. ORTH. If it had passed?

Mr. WALSH. Yes, sir; if it had passed the House?

Mr. ORTH. Yes, sir.

Mr. WALSH. Don't you know, Mr. Orth, that if the McLemore resolution had passed the House of Representatives on March 7, 1916, that it would have had no legal effect?

Mr. ORTH. I know that it would have had the effect of making American citizens refrain from doing what they would ordinarily

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have done, and regarded as their rights to do; it would have had a moral influence.

Mr. WALSH. I did not ask anything about the moral effect of it. The moral effect of it would have been to create joy in Berlin and gloom in Washington, wouldn't it?

Mr. ORTH. If it had passed the House?

Mr. WALSH. Yes.

Mr. ORTH. Unquestionably.

Mr. WALSH. Something like the effect the election of Senator Lenroot was going to have in Wisconsin?

Mr. ORTH. I do not know anything about that.

Mr. WALSH. Did not participate in the senatorial election in Wisconsin, your league didn't, did it?

Mr. ORTH. I did not participate in any of the elections anywhere.

Mr. WALSH. You did not participate in any of the elections—You did not seek to direct the voters of Wisconsin?

Mr. CARAWAY. Didn't you say you did not participate in the election anywhere?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. I hold right here in my hand a bulletin you sent out in Miss Jeannette Rankin's district: "Miss Rankin is opposed in Senate race by National Security League"—a telegram from you regarding the elections in Montana on that very question. Now, what do you say about it?

Mr. ORTH. May I read it?

Mr. CARAWAY. Yes; you may read it; you ought to read it before you talk about it. Read it all. Don't you know what you sent out under your own signature? Look at your headline there—what do you say there?

Mr. ORTH. I will read it in a moment.

Mr. CARAWAY. Well, in your headline it says: "Miss Rankin is opposed in Senate race by National Security League."

Mr. ORTH. I didn't read the headline.

Mr. CARAWAY. You sent that out. If you didn't there is an untrue statement in it there.

Mr. ORTH. This was sent out. I hadn't read the headlines.

Mr. CARAWAY. Did you send it out?

Mr. JOHNSON. They printed the headlines.

Mr. CARAWAY. The headline was on it when sent out.

Mr. ORTH. That is not my statement.

Mr. CARAWAY. When you sent it out.

Mr. ORTH. I didn't send it out.

Mr. CARAWAY. I read the telegram; it is to the Helena (Mont.) Independent:

> Our chart, which is absolutely correct, shows that Miss Rankin voted wrong on the declaration of war and on the Kahn amendment to the conscription act, which involved the vital and basic principle whereby an Army could be raised promptly an deffectively. We believe that the overwhelming verdict of the people of the United States is that those who voted against the war, or against any principle or measure for its effective and rapid prosecution, were wrong and failed to demonstrate the possession of that foresight and resolution which in times of national emergency and danger are necessary for the security of the country and of our national honor.

Mr. CARAWAY. I say, you sent that out, you just wrote that telegram to Montana didn't you?

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Mr. ORTH. I did.

Mr. CARAWAY. Well, that is what I wanted you to say.

Mr. ORTH. I did not participate in any of the elections. In that telegram I referred very distinctly——

Mr. CARAWAY. That is all I wanted to ask you.

Mr. WALSH. Mr. Orth, following the activities of Congress as you did, by reading the Congressional Record, you knew what the effect of laying a measure like that on the table was, didn't you?

Mr. ORTH. Yes, sir.

Mr. WALSH. And you knew also what effect the passing of the House resolution would have?

Mr. ORTH. Yes.

Mr. WALSH. That consequently an American citizen traveling on the high seas would be committing an illegal act?

Mr. ORTH. No; I should correct that portion of my testimony, in which I stated that the passing of that resolution by the House would have made it actually illegal for a citizen to travel. That testimony was made in the heat and pressure of argument. It would not have had that legal effect.

Mr. WALSH. Don't you know Mr. Orth, that as a matter of law, if the McLemore resolution had passed the House on March 7, 1916, it would have had absolutely no legal effect?

Mr. ORTH. It would not have had, I think——

Mr. WELSH (interposing). No.

Mr. ORTH. Any strictly legal effect.

Mr. WALSH. If that is so, how could it have deprived the American citizens of their natural, legal, and constitutional rights to travel on the high seas?

Mr. ORTH. It could not, as a matter of law. It would, however, deter American citizens of exercising those legal rights.

Mr. WALSH. If the great majority of American people were in favor of laying the McLemore resolution upon the table, or were in favor of defeating it when a direct vote came, do you believe that that great majority would have refrained from traveling on the high seas if the measure had passed?

Mr. ORTH. I think they would have, because they would have felt that their Government was not behind them.

Mr. WALSH. And that would have been the only reason?

Mr. ORTH. There might be others, I do not think of them at the moment.

Mr. WALSH. That they would have felt if they traveled on the high seas after the McLemore resolution had passed the House, the passage of which you say now would have had no legal effect, that their Government would not be behind them?

Mr. ORTH. That would have been the effect on the public.

Mr. WALSH. In your opinion?

Mr. ORTH. In my opinion.

Mr. WALSH. Mr. Orth, you speak here, upon this chart, or rather, you ask here upon this chart "What are you going to do about it?" Did you incorporate that question upon the chart?

Mr. ORTH. No; I did not.

Mr. WALSH. Who put that on there?

Mr. ORTH. Mr. Harvey, the publicity director.

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Mr. WALSH. Sir?

Mr. ORTH. Mr. Harvey, the publicity director.

Mr. WALSH. Mr. Harvey—did he have something to do with preparing this chart?

Mr. ORTH. I replied yesterday that I was in constant consultation with Mr. West and Mr. Harvey.

Mr. WALSH. So you have no opinion as to what the intention of employing that question was of your own?

Mr. ORTH. Why, yes; I have.

Mr. WALSH. What did you think it was on there for?

Mr. ORTH. I thought it was on there as a catch eye—that was to attract attention to the contents.

Mr. WALSH. It was put on in a little larger type than the preceding language, and was smaller only to the headlines on the top of the sheet.

Mr. ORTH. The size of the type was not a matter of design; as I remember, it was left more or less to the judgment of the printer.

Mr. WALSH. And in getting up this chart, in order to educate the voters so that they might act intelligently and assure the country of a win-the-war Congress? You never took into consideration anything that had been done by the Congress after we declared war except voting on the conscription bill?

Mr. ORTH. No, sir.

Mr. WALSH. Did you know that on April 4, 1917, that a bill, H. R. 2762, to authorize a bond issue, a bond issue had passed the House by 388 to nothing?

Mr. ORTH. Yes, sir.

Mr. WALSH. In your opinion did that indicate any desire on the part of the House of Representatives to win the war?

Mr. ORTH. It certainly did.

Mr. WALSH. And it was an important measure?

Mr. ORTH. It was a very important measure.

Mr. WALSH. And if that measure had been defeated it would have seriously crippled and hindered the Government in prosecuting the war?

Mr. ORTH. It surely would have.

Mr. WALSH. Did you know that in May, the 2nd of May, H. R. 3971, making appropriations to supply deficiencies—making appropriations for military and naval expenditures on account of war activities—passed the House of Representatives by a vote of 361 to 1?

Mr. ORTH. I knew of it at the time; yes, sir.

Mr. WALSH. And that was an important win-the-war measure, was it?

Mr. ORTH. Yes, sir.

Mr. WALSH. And if that had been defeated it would have seriously crippled our Government in prosecuting the war?

Mr. ORTH. Yes, sir.

Mr. WALSH. And yet that measure is not included on the chart as one considered by you of sufficient importance to be placed upon it?

Mr. ORTH. No, sir.

Mr. WALSH. Didn't you take into consideration any actions taken by the House of Representatives upon the so-called "Espionage bill?"

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Mr. ORTH. I did not. If you ask me in relation to its incorporation in the chart, the answer was: "I did not."

Mr. WALSH. These various votes that were had upon that measure you did not consider of sufficient importance to be included in this chart, which was designed to enlighten and educate the voters in order that they might take it into consideration in the election in the win-the-war Congress?

Mr. ORTH. They were of sufficient importance, but they were not in any way illuminating as to the attitude of both Members of the House of Representaives. Even then, Members of the House of Representatives were bing driven forward by the overwhelming force of an absolutely unanimous public opinion.

Mr. WALSH. Oh, well, Mr. Orth, you do not mean to say that on March 7, 1916, that there was any unanimous opinion?

Mr. ORTH. No; I do not say that, Congressman. I said that when these measures that you spoke of were passed by Congress there was an absolutely unanimous public opinion.

Mr. WALSH. After we had gotten into the war?

Mr. ORTH. After we had gotten into the war?

Mr. WALSH. The sentiment had cristallized.

Mr. ORTH. Had crystallized to 100 per cent.

Mr. WALSH. Yes, sir; and in that crystallization process, Members of Congress were swept along too, were they not, in your opinion?

Mr. ORTH. Instead of being driven before. They then knew, as President Wilson said, that if they did not go forward, they would be broken.

Mr. WALSH. And is that being driven the result of any fear on their part?

Mr. ORTH. Why, I should say yes, distinctly.

Mr. WALSH. Fear of what?

Mr. ORTH. Why fear of meeting with disapprobation of the people of the country and particularly the people of their immediate acquaintance and the voters in their districts.

Mr. WALSH. I beg your pardon, what did you say? Will the stenographer read the answer?

(The stenographer read as follows: "Why, fear of meeting with disapprobation of the people of the country and particularly the people of their immediate acquaintance and the voters in their districts?")

Mr. WALSH. So, you think the Members of Congress were supporting measures to win this war, because they were afraid of the disapprobation of the voters of their districts and of their friends where they resided?

Mr. ORTH. I did not say that, and the answer is: "Certainly not."

Mr. WALSH. Well, what did you mean?

Mr. ORTH. I said—why, you were reciting to me certain measures and the votes on those measures. I had that in mind and was answering with regard to that to the unanimity of those votes.

Mr. WALSH. I beg your pardon. I see where you might very well have meant that. Well, now, then, I will just confine myself to these two measures, the Army and Navy, and the deficiency bill for war purposes. One was passed by the House by a vote of 388 to nothing; and the second one of them passed the House by a vote of 362 to 1.

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Do you think those Members of Congress who had voted against war, and voted against conscription, and yet voted in favor of these measures, did so because they feared the results of the action of their constituents, of the views of their friends or neighbors in the community in which they resided?

Mr. ORTH. No; I do not say that. I believe there may possibly have been some such men.

Mr. WALSH. Then, why did you say that they might have been moved by fear?

Mr. ORTH. I did not mean to imply that to Congress generally or anything of that kind.

Mr. WALSH. Now, you said that after we had declared war, and after we had passed the conscription act, and after we had passed the bond issue, and this Military and Navy deficiency bill, by that time—the 2d of May, 1917—the sentiment of the American people had crystallized into 100 per cent Americanism for the purpose of winning the war?

Mr. ORTH. Into nearly 100 per cent.

Mr. WALSH. Into nearly 100 per cent, and later it has weakened 100 per cent has it not?

Mr. ORTH. No; I do not think it ever weakened 100 per cent. I believe that there were certain people, in various parts of the country, who never were entirely on the right side in regard to the war.

Mr. WALSH. Yes; almost infinitesimally minute.

Mr. ORTH. I do not know, Mr. Congressman; I really have no knowledge from which to speak about that.

Mr. WALSH. But, you stated that the 100 per cent crystallization—you meant that the people who were not in favor of winning the war certainly was a very small proportion of the people of the United States?

Mr. ORTH. Yes; that is my opinion.

Mr. WALSH. Did you consider the Anthony motion to recommit the act to authorize the raising of four infantry divisions of volunteers, commonly called the Roosevelt amendment, that important measure in relation to winning the war?

Mr. ORTH. I did not consider it at all.

Mr. WALSH. Did you consider the amendments to the war-revenue bill increasing the taxes of incomes to raise more money to finance the war, that important was measure?

Mr. ORTH. I did.

Mr. WALSH. And did you examine the votes of Members of the House upon that measure?

Mr. ORTH. I did not.

Mr. WALSH. You made no analysis of the votes upon that measure?

Mr. ORTH. I did not.

Mr. WALSH. But you knew that the amendment to the war-revenue bill increasing the taxes on incomes passed the House by a vote of 345 to 50—you knew it at the time?

Mr. ORTH. I think I did; yes, sir.

Mr. WALSH. And if that amendment failed, and if no other scheme had been adopted it would hampered our Government in raising funds for the war?

Mr. ORTH. If no legislation had passed financing the war it certainly would have hampered the Government.

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Mr. WALSH. Yes; and I intended to include that in my question relating to the bond issues and the military and naval deficiency bill, that if those had failed and nothing else had taken their place that would have seriously crippled and hampered our prosecution of the war?

Mr. ORTH. It certainly would.

Mr. WALSH. Did you consider the vote upon the passage of the war-revenue bill as an important war measure?

Mr. ORTH. I did.

Mr. WALSH. And you knew at that time that that measure passed the House by a vote of 329 ayes to 76 nays?

Mr. ORTH. I did.

Mr. WALSH. Did you consider the food-supply bill an important war measure under the provisions of which the Food Administration was organized?

Mr. ORTH. I did.

Mr. WALSH. And administered?

Mr. ORTH. I did.

Mr. WALSH. And also the food-control bill?

Mr. ORTH. I did.

Mr. WALSH. Then you knew at the time, on the 23d day of June, that that measure passed the House by a vote of 365 ayes to 5 nays?

Mr. ORTH. I did.

Mr. WALSH. And the defeat of that measure would have seriously interferred with successful prosecution of the war?

Mr. ORTH. Yes, sir.

Mr. WALSH. Yet that is not included?

Mr. ORTH. That was not included.

Mr. WALSH. Not in the style in which you have prepared—did you know that when the food bill went to conference and was returned to the House on the 3d day of August, 1917, that it passed the House by 359 yeas to no nays, at the time?

Mr. ORTH. I knew it at the time.

Mr. WALSH. Did you examine at the time or consider at all the legislation with respect to soldier's insurance and pensions?

Mr. ORTH. At which time, Congressman?

Mr. WALSH. At the time it was being considered or voted upon in the House?

Mr. ORTH. Yes; in the manner in which I have previously indicated.

Mr. WALSH. But not with any particular consideration for the purpose of putting it in the chart?

Mr. ORTH. No; not with reference to putting it into the chart.

Mr. WALSH. Did you know that on September 3, 1917, the soldiers-insurance bill passed the House with a vote of 319 yeas to 0 nays?

Mr. ORTH. I knew it at the time.

Mr. WALSH. And the defeat of that measure at the time or subsequently would have seriously hindered the prosecution of the war, wouldn't it?

Mr. ORTH. It would have had an unfavorable effect.

Mr. WALSH. But you recall that on October 2 we passed, under a suspension of the rules, Senate 2623, defining the status of citizens of the United States who have entered the military and naval service of

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our country during the existing war in Europe by a vote of 252 yeas to 4 nays?

Mr. ORTH. I probably knew at the time, but I do not recall it now.

Mr. WALSH. You considered that a particular war measure?

Mr. ORTH. I do not recall it well enough to pass an opinion on it.

Mr. WALSH. You could not say whether the defeat of that might have seriously crippled the efficiency of our military or naval forces?

Mr. ORTH. No, sir; I could not, but I judge it would have.

Mr. WALSH. Do you recall that on December 7, 1917, a joint resolution passed the House declaring a state of war existed between the United States and the Austro-Hungarian Government by a vote of 365 yeas to 1 nay?

Mr. ORTH. Yes, sir.

Mr. WALSH. Now, would you say that had that measure been defeated the prosecution of our war against Germany would have been seriously interfered with and crippled?

Mr. ORTH. Yes, sir.

Mr. WALSH. And yet that declaration of war against Austria-Hungary which was nearly a unanimous vote was not included among those on the chart, was it?

Mr. ORTH. No.

Mr. WALSH. It was not considered by you as sufficiently important to be put upon the chart?

Mr. ORTH. No, sir.

Mr. WALSH. Well, what would you say about the 7th of December as that was and is index——

Mr. ORTH. I beg your pardon, Congressman, I will correct that last answer.

You asked if it was considered of sufficient importance to be put upon the chart?

Mr. WALSH. Yes, sir.

Mr. ORTH. It may have been of sufficient importance, but it was not put on the chart for several reasons.

Mr. WALSH. Well, now, if it was considered by you as of sufficient importance to be put upon the chart and you said no, but now you say it might have been put upon the chart for other reasons.

Mr. ORTH. That measure may have been of sufficient importance to have been entitled to inclusion in the chart, but it was not.

Mr. WALSH. Did you consider it at all when making up that chart?

Mr. ORTH. Actively; no.

Mr. WALSH. No; well, who did you talk with about it?

Mr. ORTH. Nobody.

Mr. WALSH. I mean, did you put it out after talking——

Mr. ORTH (interposing). The declaration of war against Austria-Hungary?

Mr. WALSH. Yes.

Mr. ORTH. Nobody.

Mr. WALSH. Nobody was consulted. You mean, then, it was not put on the chart for other reasons; you mean other reasons of your own?

Mr. ORTH. No, no; but certain conclusions which I approached—had reached—after a full discussion of the matter.

Mr. WALSH. After the discussion of the Austro-Hungarian declaration of war?

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Mr. ORTH. No; general principles underlying what we wanted to put in the chart.

Mr. WALSH. I will come to this later. That discussion was had before you started to prepare the chart?

Mr. ORTH. That discussion was had while the chart——

Mr. WALSH (interposing). And during its preparation?

Mr. ORTH (continuing). Was being prepared.

Mr. WALSH. Well, Mr. Orth, on the 7th of December the House declared war against Austria-Hungary by a vote of 365 to 1. In your opinion, had the sentiment of the United States further crystallized toward the support of the war?

Mr. ORTH. I do not believe it had, Congressman.

Mr. WALSH. Slightly more?

Mr. ORTH. Not very much more; maybe a few people who had at first stood out came in by that time.

Mr. WALSH. You know that on the 28th of November, 1918, the House voted to pass a bill for the Federal control of railroads?

Mr. ORTH. Yes, sir.

Mr. WALSH. Did you consider that as an important piece of legislation in connection with our prosecution of the war?

Mr. ORTH. I did.

Mr. WALSH. And you knew at that time that the vote on that was 326 yeas to 6 nays?

Mr. ORTH. I did.

Mr. WALSH. And that was not considered by you in connection with making up the chart?

Mr. ORTH. It was not.

Mr. WALSH. Did you know that on the 6th of March the House passed a bill prohibiting the destruction of war mtaerials as defined in the bill by a vote of 321 yeas to 0 nays?

Mr. ORTH. What was the effect, to do what?

Mr. WALSH. To prohibit the destruction of war materials.

Mr. ORTH. I do not recall the measure. I probably heard of it at the time.

Mr. WALSH. You probably read of it in the Record at the time.

Mr. ORTH. I probably saw it in the Record at the time; but if that was its purpose and intent, it was rather an important piece of legislation. I should judge so by its title.

Mr. WALSH. And if it had been defeated, and war materials could have been destroyed without the parties destroying them being punished, it would have seriously interfered with our successful prosecution of the war?

Mr. ORTH. I should think so.

Mr. WALSH. That measure was not considered by you in making up this chart?

Mr. ORTH. It was not.

Mr. WALSH. Did you, in going over the record of Congress in connection with making up this chart notice that there were a number of measures that had passed the House of Representatives by unanimous vote, and others where the nay votes did not exceed 6 or 8?

Mr. ORTH. Yes, sir.

Mr. WALSH. And that where those votes occurred it was almost invariably upon measures having to do with the prosecution of the war?

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Mr. ORTH. Yes, sir.

Mr. WALSH. And you knew that at the time you began the compilation of your chart?

Mr. ORTH. Yes, sir.

Mr. WALSH. And you knew that included in the affirmative votes were Members of the House who had voted wrong as you alleged in your chart, upon all, or a major portion of the 8 test votes?

Mr. ORTH. Yes, sir.

Mr. WALSH. You heard the testimony of Mr. Menken in most parts, didn't you, Mr. Orth?

Mr. ORTH. I did.

Mr. WALSH. Were you at all interested in making up your chart to ascertain, or to explain any delay on the part of Congress in having public sentiment on preparedness measures?

Mr. ORTH. I do not think I quite get what you want to get me to testify about.

Mr. WALSH. Well, you heard Mr. Menken criticize Congress for its delay in the passage of what he designated adequate preparedness measures?

Mr. ORTH. Yes, sir.

Mr. WALSH. You heard that?

Mr. ORTH. I heard that.

Mr. WALSH. Now, after making up your chart and selecting these 8 test votes, did you have any mind regarding the delay in the passage of preparedness measures on the part of Congress and in respect to public sentiment upon those questions?

Mr. ORTH. Yes.

Mr. WALSH. What did you have in mind about that?

Mr. ORTH. Why, I had in mind that I was told by the officials of the National Security League that the measures included in exhibit 3 were important preparedness measures which were largely favored by the country at the time, and which were regarded by the press and others at the time as representative preparedness measures that had been proposed in Congress; and after the President in January or February, 1916, had gone through the central West trying to impress upon the people not only in that district, but the people of the country generally by his speeches the need of adequate preparedness.

Mr. WALSH. Yes, sir; you knew, Mr. Orth, at that time, that the President addressed Congress in December, 1915, at its opening session.

Mr. ORTH. I knew he delivered it at the time.

Mr. WALSH. And did you recall what he said about preparedness and the raising of an Army in that address?

Mr. ORTH. I do not now recall it with any particularity.

Mr. WALSH. Do you recall that the President in 1915, prior to his western tour to arouse the sentiment in favor of preparedness, told the Congress that the plans of the Department of War for more adequate national defense contemplated an increase in the standing boards of the Regular Army from its present strength of 15,023 officers and other troops of 995 enlisted men of all services to a strength of 7,136 officers and 134,707 enlisted men, or 141,843 all told, all services, in making up rank and file by the addition of 52

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companies of coast artillery, 53 of engineers, 10 regiments of infantry, 15 regiments of field artillery, 4 aero squadrons, besides 750 officers required for a great variety of extra services, especially the all-impotant duties of training the citizens requires a great variety of excess services, especially the all-important duty of training the citizen boards, of which I shall presently speak; 792 noncommissioned officers for service in drilling and recruiting and the like, and the necessary quota of enlisted men for the Quartermaster's Corps, Hospital Corps, Ordnance Department, and the other similar auxiliary services?

Mr. ORTH. I knew of that at the time, sir.

Mr. WALSH. You recall that he told Congress that just before he went West on that spark-flying, preparedness-sentiment-arousing trip?

Mr. ORTH. Yes, sir; I knew it.

Mr. WALSH. Now, you notice that the recommendations and the plans for the War Department in the measure?

Mr. ORTH. Yes, sir.

Mr. WALSH. Do you say that Congress failed to respond to the plans of the department or that the Representatives voted against the recommendations of the department?

Mr. ORTH. No; I do not, Congressman. I do not pretend to have followed with particularity the suggestions of the President, or War Department, except at the time I read them as any American citizen would do. I was concerned in the point of view of the average man and citizen on the subject.

Mr. WALSH. Now, what is your point of view? That we should make our suggestions, recommendations, from the Executive who, under the Constitution, is required to address Congress from time to time on the state of the Union, or that we should let the National Security League send in a message to Congress and take their recommendations as to legislation?

Mr. ORTH. I should not think you should take anything from the National Security League. But, I do believe that the Congress of the United States should listen to the voice of the people of the United States.

Mr. WALSH. Do you think that the people of the United States, or the National Security League, or its officers, have a more intimate knowledge as to the condition and needs of its naval and military requirements than the Chief Executive and commander in chief and his advisers?

Mr. ORTH. I say I believe that the National Security League at that time had a better knowledge of the point of view of the people of the country.

Mr. WALSH. And that the people of the country's point of view was different from the point of view of the President of the United States and his advisers?

Mr. ORTH. I think so.

Mr. WALSH. And that therefore the point of view of the people of the country should be regarded irrespective of the view of the President and his advisers?

Mr. ORTH. Absolutely; always.

Mr. WALSH. Always, that is true representative government, is it not, Mr. Orth?

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Mr. ORTH. As I understand it and see it, yes.

Mr. WALSH. And by the people of the country, you mean the ordinary citizens and not the scientific experts of the country?

Mr. ORTH. I mean the good sound ordinary citizens of the United States.

Mr. WALSH. The bone and sinew of the Nation so to speak?

Mr. ORTH. The bone and sinew of the United States.

Mr. WALSH. Then, so you think that the people of the country pay less attention to recommendations and reports of the Chief Executive as to the needs and conditions of the military and naval departments of the Government than Congress does?

Mr. ORTH. I think that varies entirely according to the conditions and the combination of circumstances. It is impossible to generalize in answer to the question.

Mr. WALSH. And that the President of the United States coming before Congress and delivering his message and giving his information upon the state of the Union would create no impression or have no effect with the ordinary citizen of the country?

Mr. ORTH. I think it would have a considerable effect on a great many citizens.

Mr. WALSH. But, that if the ordinary citizen, having no means of acquiring accurate information as to the actual conditions of our military and naval departments made up his mind that we ought to have an Army of 2,000,000 men Congress should get its accurate information furnished by the President and act upon the sentiment of the great mass of people, no matter how that sentiment may have been aroused or crystallized?

Mr. ORTH. No; I do not quite think that. I think that Congress should weigh everything in the balance and take the best possible action that it can conceive under the circumstances.

Mr. WALSH. Now, Mr. Orth, do you contend that that is not what Congress did after acting upon the preparedness measures?

Mr. ORTH. Yes; I contend that Congress did not do that in acting upon the particular preparedness measures.

Mr. WALSH. You contend that they followed the recommendations and advices of the President without taking into consideration the sentiment of the great mass of the American people?

Mr. ORTH. I don't know whether these particular measures immediately followed the advice of the President or not, or whether it was simply the advice of the House committee.

Mr. WALSH. The advice of the House committee?

Mr. ORTH. That is, the bills introduced by the House committees—gotten up in them.

Mr. WALSH. Well, you have not given any particular attention, I assume, to the course these bills took—who wrote them, who was heard upon them, and who framed their provisions?

Mr. ORTH. Not so that it would fasten itself in my recollection.

Mr. WALSH. Well, you do know, as a matter of fact, don't you, Mr. Orth, that particularly since the President's spark-flying western preparedness trip, military measures, naval measures, have been for the most part framed by men in the War and Navy Departments and sbmitted to Congress?

Mr. ORTH. I knew that, sir; in a general way.

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Mr. WALSH. And you knew, too, that the military and naval men were no more unanimous upon plans affecting their departments than the ordinary citizens are upon the merits of a base-ball game or a political candidate?

Mr. ORTH. Why, I do not think there was such a great degree of disagreement as that, but I understand that they are not unanimous.

Mr. WALSH. Do you recall that the Congress passed a bill known as the Overman bill giving the President power in the matter of reorganizing, consolidating, and rearranging the administrative departments of the Government?

Mr. ORTH. I recall it.

Mr. WALSH. And you consider that as a measure which would greatly facilitate the prosecution of the war?

Mr. ORTH. I do.

Mr. WALSH. And you knew that that passed the House on the 14th of May by a vote of 294 yeas to 2 nays?

Mr. ORTH. I knew it at the time.

Mr. WALSH. And that if that had failed that would have hampered the President in his executive direction?

Mr. ORTH. I believe so.

Mr. WALSH. Of our war activities?

Mr. ORTH. I believe so.

Mr. WALSH. And yet, you did not consider that in connection with this chart?

Mr. ORTH. We did not.

Mr. WALSH. What time would you say, Mr. Orth, that you began actual work upon the congressional chart?

Mr. ORTH. I should say around the 1st of July.

Mr. WALSH. So that votes passed, measures passed by Congress subsequent to July 1, would be too late to be considered in connection with the chart; that is, you were getting your material together and the chart was issued shortly after the 1st of July?

Mr. ORTH. Yes, sir; the first went to the printer's hands sometime in July.

Mr. WALSH. So, Mr. Orth, perhaps I asked you this before, if I have you will excuse me for repeating it, if I understand you correctly the contention of yourself as chairman of the committee and of your colleagues on the committee representing the National Security League in issuing this chart was to furnish to the voters information——

Mr. ORTH (interposing). To furnish to the people of the country information—Oh, pardon me——

Mr. WALSH (interposing). Furnish to the people and voters of the country information?

Mr. ORTH. Yes, sir.

Mr. WALSH. Which, if followed, or which, if acted upon, would secure the election of a win-the-war Congress?

Mr. ORTH. To furnish information to the people of the country, including the voters, which they were to use as we repeatedly urged them in our literature according to their wisdom and conscience in whatever connection they might see fit to take part in the election in their own congressional districts.

I wish to say this, too: There was a great deal of literature which the league issued from time to time which invariably contained the

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formula of what the object of issuing it was, and the invariable formula, repeated not one time but time and time again, was that we submitted it to the wisdom and conscience of the people of the district, and that was the keynote all along.

Mr. WALSH. Yes; but you are not responsible for the statements upon some of these press releases, are you? You did not draft them!

Mr. ORTH. Why, those were gotten up by Mr. Harvey.

Mr. WALSH. I say, you did not draft them?

Mr. ORTH. I did not draft them; no.

Mr. WALSH. Some of them contained telegrams which you sent, but you did not draft the sheets?

Mr. ORTH. I did not.

Mr. WALSH. But you know that in one of those press releases, at least one or more bulletins of the league, the statement was made that the purpose of the league was, in so far as its congressional committees' activities were concerned, to secure the election of a Congress of demonstrated loyalty and ability?

Mr. ORTH. That was the object of the educational campaign, unquestionably.

Mr. WALSH. Well, if every man who had voted wrong according to the league's charge had been reelected, and every man who had voted right according to the league's charge had been defeated, in your opinion, would a Congress of demonstrated loyalty have been elected?

Mr. ORTH. I am sorry; I would like to answer the question immediately and directly, but I don't know that I can for the reason that I tried to explain yesterday that most of the questions which have been asked here have been asked on the assumption that the National Security League, by direct statement or implication, meant to condemn everyone except 47 men, which is not the case.

Mr. WALSH. You meant to include the 47 men?

Mr. ORTH. We meant to include the 47 men who ought to receive favorable judgment of their localities unquestionably, but we did not mean to exclude a whole lot of men who only voted wrong on two or three occasions.

Mr. WALSH. I will repeat that question a little differently. In your opinion, if every man who voted right according to your National Security League charge was defeated, and if every man who had voted wrong according to the National Security League's charge had been elected, would a Congress of demonstrated loyalty and ability have been chosen by the people?

Mr. ORTH. In my opinion it would not have.

Mr. WALSH. No? So that a man who voted wrong eight times was more lacking in loyalty and ability than the man who had voted wrong only once?

Mr. ORTH. Undoubtedly.

Mr. WALSH. What was the idea in going back to March 7, 1916, and compiling the records of Members of Congress upon preparedness measures when war had not been thought of or contemplated by the ordinary citizen or those in executive position?

Mr. ORTH. Why, I believe that war had been thought of and contemplated by a great many of the ordinary citizens. The object in going back to March 7, 1916, was to include the measures which, according to the best judgment of the National Security League, were

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the President said, acid tests of true loyalty and genuine mericanism.

Mr. WALSH. You were willing to follow the recommendation or aracterization of the President with reference to acid tests, but ou differed with him as to what was required to put this country an adequate state of preparedness?

Mr. ORTH. We were entirely willing to be influenced by his judgent, according to the circumstances and conditions on all matters.

Mr. WALSH. Now, Mr. Orth is it not a fact that in the use of the ords "acid tests" by the President of the United States in a cerin Senatorial election, the impression was sought to be conveyed at there was some question as to the loyalty of the man to his untry.

Mr. ORTH. Undoubtedly.

Mr. WALSH. And not in the sense in which the league used the ord "loyalty"?

Mr. ORTH. Undoubtedly.

Mr. WALSH. And in talking about these eight tests in some of your erature you have characterized them as acid tests, have you not?

Mr. ORTH. I think the wards "acid tests" have been used; yes.

Mr. WALSH. Now, Mr. Orth, you have defined the word "loyalty" being applied to loyalty to the predominant sentiment of the peoe of the country?

Mr. ORTH. I have defined that as the view which was in my mind roughout my work.

Mr. WALSH. Throughout your work, but there is nothing in the erature of the league to convey to the people of the United States at the term "loyalty" or "disloyalty" were used any other than an accepted sense of loyalty to one's country?

Mr. ORTH. I think that my interpretation is just as common and epted as the other interpretations.

Mr. WALSH. In time of war, when you use the words "loyalty" d "disloyalty" does the citizen not take that word to mean loyalty one's country and is it not synonymous with traitors?

Mr. ORTH. I think the answer to the question—I do not think nonymous with traitors.

Mr. WALSH. Practically. If the man is disloyal he is naturally nsidered to be a traitor, isn't he?

Mr. ORTH. I think that would be——

Mr. WALSH (interposing). In time of war?

Mr. ORTH. I think it would be the common acceptation.

Mr. WALSH. If that be so, Mr. Orth, can you explain why someing was not said in the literature of the league to convey to the ters that the use of the word "loyalty" or "disloyalty" had a culiar meaning in the way in which it was used by the league and officials?

Mr. ORTH. I can not explain it.

Mr. WALSH. Well, Mr. Orth, do you think that a man who voted ainst the McLemore resolution, March 7, 1916, would not be a oper man to represent a congressional district in Congress the rpose of which, the main purpose of which was to do everything could do to win the war?

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Mr. ORTH. Oh, I do not think that a man should be—the vote on the McLemore resolution occurred after March 7, 1916?

Mr. WALSH. Yes, sir.

Mr. ORTH. Now, one of the reasons of giving a number of measures was in order to show a continuation of attitude on the part of Members of Congress. I believe that if a man voted wrong on the McLemore resolution on March 7, 1916, and saw the error of his way, and repented, I do not think a thing like that should lie against him eternally. Nothing will change the record; nothing will change the vote.

Mr. WALSH. No.

Mr. ORTH. And in the opinion of a great many people——

Mr. WALSH. And there is nothing in that vote that would hinder in the winning of the war, if he should have been reelected to the Sixty-sixth Congresses?

Mr. ORTH. Oh, nothing substantial.

Mr. WALSH. No; just lack of vision and foresight.

Mr. ORTH. Vision and foresight, and courage to stand up for American rights.

Mr. WALSH. Do you think that a man who voted against the Kahn amendment to the Hay Army bill, which sought to increase the Regular Army to 178,000 or more, or more nearly approaching the recommendations of the general staff of the Army, was a man who, if elected to the Sixty-sixth Congress, would have done anything to prevent the winning of the war?

Mr. ORTH. Yes; I do.

Mr. WALSH. Well, what would he have done?

Mr. ORTH. He would have, by his vote, presented the measure of preparedness at a time when that preparedness could and would have been useful at the time when we actually got into the war.

Mr. WALSH. Well, in compiling your congressional chart, did you come across the bill commonly called the National Defense act, which was approved some time in August, 1916?

Mr. ORTH. No, sir; in compiling the chart, the preparedness measures 2, 3, 4, and 5 were simply taken on en bloc from Exhibit 3 and incorporated in the chart.

Mr. WALSH. And you did not recall reading in the Congressional Record the passage of the national defense act?

Mr. ORTH. Recall it? Yes, sir.

Mr. WALSH. And you recall that that vested in the Executive very wide powers to be exercised in his discretion during the time of war?

Mr. ORTH. In a general way, yes; I recall that.

Mr. WALSH. And that it had to do with increasing the Army?

Mr. ORTH. Yes, sir.

Mr. WALSH. Well, now, then, if a man voted against the Kahn amendment in March, 1916, but had voted for the national defense act in July, 1916, would you have said that the fact that he voted against one and in favor of the other, that he lacked vision and foresight, and would that have been a proper man to have had a seat in Congress to win the war?

Mr. ORTH. No; I would not have made all those deductions from circumstances. I would have said that on account of having voted against the Kahn amendment, that he lacked that determination to

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but his country in the state of preparedness which he should have had.

Mr. WALSH. Well, did you examine the roll call on the national defense act?

Mr. ORTH. I don't think I did—that is, I may have casually in reading the measure, but I did not do it with any particularity with a view of making any deductions.

Mr. WALSH. You don't know how many of these men who voted against the Kahn amendment or who voted against the declaration of war voted for the national defense act, do you?

Mr. ORTH. No, sir; I do not pretend to carry in my mind the information——

Mr. WALSH (interposing). Well, have you got any records there that will show?

Mr. ORTH. I have records in my office.

Mr. WALSH. In your office?

Mr. ORTH. Yes, sir.

Mr. WALSH. In New York?

Mr. ORTH. Yes; in New York.

Mr. WALSH. You haven't any records here as to how Members of Congress voted on the national defense act?

Mr. ORTH. Here? No; I have not.

Mr. WALSH. And you knew that the national defense act was passed purely to confer powers on the Executive Department in case of war?

Mr. ORTH. I knew that; yes, sir.

Mr. WALSH. And that it was passed during the summer of 1916 after the President had made his preparedness trip through the West?

Mr. ORTH. Yes; I know that.

Mr. WALSH. And that it was framed along the lines recommended by the President's advisors in the military and naval branches of the Government?

Mr. ORTH. I have no accurate knowledge of that.

Mr. WALSH. You had no active knowledge of that, Mr. Orth, in making up your chart and coming to your conclusions, as to what measures enacted meant and what their effects were designed to do? Did you ever read any of the hearings before the various committees of Congress?

Mr. ORTH. The answer to that question is substantially no.

Mr. WALSH. So. you were not familiar with the hearing upon the Hay-Chamberlain bill, which was voted upon April 18, 1916, which provided for an Army of 250,000 as against 140,000?

Mr. ORTH. I was only familiar with it in the way I have already stated, as the average American citizen is. I am not posing, Congressmen, as an expert on the details of these matters of congressional procedure.

Mr. WALSH. No; but you are posing as an expert on the issuance of a congressional chart.

Mr. ORTH. On the advising of the opinion of the American public only.

Mr. WALSH. You are posing as that sort of an expert?

Mr. ORTH. I am not posing as an expert. I told you before I am not. I had no connection with work of this kind until June, 1918.

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Mr. WALSH. Well, you sought, Mr. Orth, by your labors and with the assistance of your associates to prepare literature in the form of a chart to educate and enlighten the people of the United States, including the voters upon the records made by their representatives in the Congress of the United States?

Mr. ORTH. Yes, sir; I did.

Mr. WALSH. Mr. Orth, I forgot whether you stated how long you had been a member of the executive committee.

Mr. ORTH. I was elected to the executive committee I think it was in October, 1918.

Mr. WALSH. Oh, just recently, comparatively?

Mr. ORTH. Just recently; yes, sir.

Mr. WALSH. Did you ever give any consideration to the question of assisting the people in making nominations of only men of demonstrated loyalty and ability rather than the election——

Mr. ORTH (interposing). July 10, the National Security League published a phamphlet——

Mr. WALSH (interposing). 1918?

Mr. ORTH. July 10, 1918; published a phamphlet—I would like to read the whole thing, if I might?

Mr. WALSH. It looks as though it would be rather lengthy. Can you give in a few words the substance of it—and I do not attempt to prejudice you in any way by doing that and—if you can just give the general thought of it. Then we would be very glad to have it incorporated in the record.

Mr. ORTH. It was urging the necessity of the election of the best available man for nomination to Congress, and saying that the decision about such men must necessarily remain with their respective districts. That every effort should be made to forcibly bring home to the people the great importance of choosing men at the primaries whose capabilities are equal to the crisis which the country is facing.

Mr. WALSH. That was the substance?

Mr. ORTH. That was. I will read it through a little further. And it went on to say that the average man and the average woman will ask: "What can I do?" And the National Security League says, "every man and every woman can write to, or speak with, political leaders, or to newspaper editors, and to the leading citizens who form the public opinions in their districts, making them realize sharply that the need of the Nation is the selection of men who possess the strength of character and demonstrated ability, combined with unconditional loyalty and the determination to execute the war to victory, that will enable them to be of real service to the Nation—whose problems are such as to try the very souls of the best men that can be elected."

Endeavors should also be made to stimulate action on the part of every commercial, civic, farming, labor, church, or other organizations to the same end. It can be done by resolutions or by memorials to the political leaders, which should be given wide-spread publicity.

Mr. JOHNSON. To political meetings, did you say?

Mr. ORTH. This can be done by resolutions or by memorials to the political leaders, which should be given wide-spread publicity.

Mr. WALSH. That related more particularly to nominations?

Mr. ORTH. I think it did.

Mr. WALSH. Mr. Orth, was that before the chart was issued?

Mr. ORTH. No; no——

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Mr. WALSH (interposing). The chart did not come along until later on when it was, by reason of the fact that the primaries had nearly all been held, it was only available for congressional——

Mr. ORTH (interposing). Now, I beg pardon, the chart was issued a long time before all of the primaries were held, as nearly as I can recall it. Might I ask when it actually went out?

Mr. WALSH. You refresh your recollection.

Mr. ORTH. I am informed that the chart went out the last week in July, and after that there were quite a number of primaries to be held.

Mr. WALSH. You sent out a letter with the chart, didn't you—when you sent it out?

Mr. ORTH. We sent out what has been called the digest. I believe that is already in as one of the exhibits.

Mr. WALSH. Didn't you have charge of the distribution of it?

Mr. ORTH. In part. The first issue of the chart, according to my best recollection, was sent up by Mr. Harvey to about 1,400 newspapers all over the United States, which constituted a list of the newspapers to which he regularly sends all of the literature of the league.

Mr. WALSH. A mailing list, that is what you would call it—a mailing list.

Mr. ORTH. I don't know how they term it technically.

Mr. WALSH. It is a list to which all of the literature of the league is sent as a matter of course.

Mr. ORTH. Yes, sir.

Mr. WALSH. If you will complete the question, I think it is time for a recess, if you will complete the answer now.

Mr. ORTH. After that the chart was distributed by the congressional committee, and the form of distribution was that it was sent to anyone whomsoever who asked for it. Some questions came up, I think, in relation to Mr. Menken as to why we did not send it to Members of Congress, and I wish to say we made as earnest endeavor which, unfortunately, we did not persevere in, not entirely our own fault, to get it before anybody, including Members of Congress, because very early in the game, I think in July, I wrote to Mr. Roper, with whom Mr. Harvey had recently been associated, and asked Mr. Roper, if he—I mean that I do not know the ropes as fully—I asked Mr. Roper to get a list of the Democratic county committeemen all over the country as we were going to issue a chart, and I thought it only fair that that chart should be given to candidates, and be known by organizations or something, to that effect. At the same time I wrote a duplicate letter to somebody in the Republican organization. Neither of those organizations responded with the lists and that ended my effort to get the chart from the league to Members of Congress or to candidates for Congress. I do not excuse it; I am sorry I did not persist, but many Members of Congress sent for the chart. Many copies were sent to Washington, and, I believe, that it was in very full circulation long before many of the primaries took place, or the elections took place.

Mr. WALSH. What time shall we reconvene?

The CHAIRMAN. We will take a recess until 20 minutes of 2.

(Whereupon a recess was taken at 12.40 p. m. o'clock to 1.40 p. m. o'clock.)

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AFTER RECESS.

The committee reconvened pursuant to the taking of the recess at 1.40 o'clock p. m.

TESTIMONY OF MR. CHARLES D. ORTH—Resumed.

Mr. WALSH. Mr. Orth, did I understand from your last response that copies of the congressional chart were sent to Members of Congress?

Mr. ORTH. Copies of the congressional chart were sent to many Members of Congress, from whom letters requesting such copies were received.

Mr. WALSH. Did you send any copies of the chart to Members of Congress who did not request it?

Mr. ORTH. I do not recall that we did.

Mr. WALSH. Well, was there any particular reason why every Member of Congress did not receive one of these charts without request on his part?

Mr. ORTH. There was no deliberate reason. As I tried to describe in one of my replies this morning, I started an attempt to distribute the chart in such a manner that I believed every Member of Congress or every candidate for Congress was bound to see it; and after making that request to the members of three parties, I think none of whom responded to my request, why I, unfortunately, forgot it, and I regret it, because I desired to have everybody see it.

Mr. WALSH. Did you send it to all Members of Congress who responded or who requested it?

Mr. ORTH. Oh, invariably.

Mr. WALSH. I show you a letter on the letterhead of the National Security League, under date of August 8, and ask if that is your signature [exhibiting letter to witness]?

Mr. ORTH. Yes, sir.

Mr. WALSH. I would like to read this letter into the record. Letter on the letterhead of the National Security League, dated August 8, 1918, with the subheading "Congressional committee, Charles D. Orth, chairman."

DEAR SIR: We have published a chart of the votes of Members of the House of Representatives on preparedness and war. A copy of this and a digest of what it shows are inclosed. You will find your name on what we have called the "Roll of honor." We congratulate you on your record and trust, other things being equal, that this record may be of direct assistance to your reelection in case you are running again.

To prevent any misapprehension, please note that our work in this matter is strictly nonpartisan. This letter is being sent to every name on the roll of honor, without regard to parties.

Very truly yours,

CHARLES D. ORTH,
Chairman Congressional Committee.

Now, it is true that it was sent to every Member of Congress whose name was on the roll of honor, without regard to party?

Mr. ORTH. It is true. I desire, if I may, to add to that answer, in connection with the Congressman's reference, "without regard to party," the fact that I was utterly unaware until sometime, I think, in October, how many Democrats or how many Republicans were

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ntained in that list of 47 honor-roll men. I had not the slightest nception of the political line-up of those 47 men until, by chance, ry shortly before election time, I saw a reference to it in a western wspaper editorial. I think the committee ought to know that fact.

Mr. CARAWAY. Did you know that the chart was being criticised some of the officers of the league as being a Republican propaanda, before the time you mentioned?

Mr. ORTH. I knew the chart was being criticised by some of the embers of the executive committee as being a partisan representaon.

Mr. CARAWAY. I thought you were just saying that you did not now it until sometime in October, when you noticed it in a western aper?

Mr. ORTH. What I said was I did not know, until I think it was ometime in October, the political line-up of the 47 honor-roll men. hat is what I said.

Mr. CARAWAY. Will the stenographer read his answer; I want to now what he said.

The stenographer (reading):

I desire, if I may, to add to that answer, in connection with the Congressman's reference, "without regard to party," the fact that I was utterly unaware until sometime, I think, in October, how many Democrats or how many Republicans were contained in that list of 47 honor-roll men. I had not the slightest conception of the political line-up of those 47 men until by chance, very shortly before election time, I saw a reference to it in a western newspaper editorial. I think the committee ought to know that fact.

Mr. WALSH. Mr. Orth, in a press-release sheet, I assume it is, headed "Security League publishes votes of Congressmen on eight war measures; issues chart giving record of Members of the Sixty-fourth and Sixty-fifth Congresses for voters' information," is contained this sentence—it is rather a long one, but I desire to read it. I do not know whether you have a copy of this sheet; it is the one that designates Rhode Island perfect; seven wrong on all eight, and so forth. The second sentence reads:

The eight record votes used in the tabulation, start with the McLemore resolution and end with the Kahn amendment to the conscription bill. Charles D. Orth, chairman of the Security League's congressional committee, explains that anti-war measures were selected largely as a result of the position taken by President Wilson in opposing the candidacy for reelection of Congressman Slayden, of Texas, who voted for the Conscription bill and the declaration of war, but had been a consistent opponent of preparedness and voted against the Kahn amendment and eliminating the volunter system from the conscription bill.

Is that a statement of fact why antiwar measures were selected upon this chart?

Mr. ORTH. That statement is one of the reasons why antiwar measures were selected on that chart.

Mr. WALSH. But that is not a reason that you have heretofore given in response to any questions asked you?

Mr. ORTH. No; it has been an impossibility to enumerate all the reasons.

Mr. WALSH. When did you first know that President Wilson was opposing the reelection of Congressman Slayden?

Mr. ORTH. On or about—I dislike to testify to dates without refreshing my memory, but I should say on or about July 25, when

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President Wilson's communication on the Slayden candidacy was published.

Mr. WALSH. Did the President indicate his opposition to Congressman Slayden as early as July? Have you anything there to refresh your recollection, or which will show the time?

Mr. ORTH. I think I have, Congressman. [After examining papers:] I can not find the record which I think would be most illuminating, but I have in my hand a clipping—it does not specify, but I believe it is from the New York Times—of July 27, 191-, headed—

Approves Wilson's action. Security League applauds President for Slayden telegram. The action of President Wilson in sending the telegram to San Antonio, Tex., accusing James L. Slayden, for 22 years Representative in Congress from the fourteenth Texas district, of not giving support to the administration, which resulted in Slayden withdrawing from the race for the seat which he will vacate in March, 1919, met with the approval yesterday of the National Security League's congressional campaign committee, of which Charles D. Orth is chairman.

The taking of this stand by the President, said Mr. Orth, establishes a criterion of congressional fitness which is very suggestive in a campaign like ours. Mr. Slayden voted for the conscription bill and the declaration of war, but had a consistent antipreparedness record and voted against tabling the McLemore resolution and against the Kahn amendment eliminating a volunteer system from the conscription bill. The committee has been in somewhat of a quandary of how it should treat men of whom there are numbers in the present Congress who are seeking reelection with records similar to Mr. Slayden's. President Wilson now comes to our assistance by laying down the principle that a Congressman's entire war record shall determine his fitness, and not his present attitude.

Mr. WALSH. President Wilson came to your assistance by stating that a Congressman's entire war record should determine his fitness and not his present attitude; that was your statement?

Mr. ORTH. My recollection——

Mr. WALSH. That was the conclusion?

Mr. ORTH. That was the conclusion drawn from what he said; yes.

Mr. WALSH. Would you say that a man could have a war record in the Congress of the United States based upon votes cast 13 months before we entered the war?

Mr. ORTH. Yes and no. The votes included in the chart includes several votes—the vote upon the declaration of war and the votes after we had entered the war, besides votes prior to that time which would have a distinct tendency to illustrate a man's tendencies and disposition with regard to war and preparedness.

Mr. WALSH. You did not say a word in that interview or that statement furnished to the press about preparedness, did you, Mr. Orth,

Mr. ORTH. No; I did not in that particular interview.

Mr. WALSH. You confined it to Mr. Slayden's war record?

Mr. ORTH. That particular interview confined it to Mr. Slayden's war record?

Mr. WALSH. Yes, sir.

Mr. ORTH. The President's telegram with regard to Mr. Slayden. according to my best recollection, however, did not.

Mr. WALSH. Mr. Orth, Mr. Wilson did not oppose Mr. Slayden for reelection, it was for renomination, wasn't it?

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Mr. ORTH. Renomination; yes, sir.

Mr. WALSH. So in that respect this sentence here is incorrect when it says "result of the position taken by President Wilson in opposing the candidacy for reelection of Congressman Slayden"?

Mr. ORTH. No, sir; that was an unintentional error.

Mr. WALSH. And as a result of the President's telegram, Mr. Slayden withdrew his candidacy, did he not?

Mr. ORTH. I believe he wrote a letter saying that in view of the President's telegram that he would withdraw from the primary race.

Mr. WALSH. Now, that attitude and action on the part of a Member of Congress whose war record had not met with the approval of the President was a matter of commendation, was it not?

Mr. ORTH. Distinctly, I should say.

Mr. WALSH. A Member of Congress of many years service who, it is to be presumed, I think, had been voting his conscientious convictions, is informed by a telegram from the Chief Executive that his course had not met with his approval and that he thereupon retires from the race, that would not be an admission, in your opinion, Mr. Orth, on the part of that Member of Congress that he was disloyal or lacking in ability?

Mr. ORTH. That, in my opinion, would be an admission on the part of that Member that he recognized that the people believed that his actions were such that they would no longer countenance him in his candidacy.

Mr. WALSH. Will the stenographer please read my question?

The stenographer (reading):

A Member of Congress of many years service who, it is to be presumed, I think, had been voting his conscientious convictions, is informed by a telegram from the Chief Executive that his course had not met with his approval and that he thereupon retires from the race. That would not be an admission, in your opinion, Mr. Orth, on the part of that Member of Congress that he was disloyal or lacking in ability?

Mr. ORTH. Why, technically, yes; and if, as my recollection serves me, he was accused by the President of not being wholly loyal, I should say yes.

Mr. WALSH. Do you recall anything in the President's telegram that called Mr. Slayden's loyalty in question?

Mr. ORTH. I am sorry that my clear recollection of that telegram fails me. I have it here, and if I may take the time, I would like to find it.

Mr. WALSH. If you could, perhaps, later, we would like to ask you about it. But wasn't it because "he had not supported my administration" that the President sent that telegram in favor of his opponent?

Mr. ORTH. That may have been the language of the telegram.

Mr. WALSH. Now, we will assume, and I am not clear it is, but we will assume that was the language of the telegram. Then the action of Mr. Slayden in retiring from the race would certainly not be an admission that he was disloyal?

Mr. ORTH. No; I should say not, under those circumstances.

Mr. WALSH. Now, Mr. Orth, did you ever analyze the roll of honor with respect to the particular sections or districts of the country from which these gentlemen came who were on that roll?

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Mr. ORTH. I did; analyzed it at the time the chart was finally prepared and that analysis was part of what we call the digest which was sent out with the chart.

Mr. WALSH. That is these press release sheets?

Mr. ORTH. Yes; the press release sheet "Security League publishes votes of Congressmen on eight war measures."

Mr. WALSH. Now, it is a matter of fact, is it not, Mr. Orth, that all but five members upon that roll of honor came from States upon the Atlantic seaboard?

Mr. ORTH. I really do not know that.

Mr. WALSH. Massachusetts, Pennsylvania, New York, Connecticut, New Jersey, Rhode Island, Maine, and New Hampshire are all represented upon the roll of honor?

Mr. ORTH. Yes, sir.

Mr. WALSH. And at the time this chart had been issued, there had been an attack upon shipping along the Atlantic coast?

Mr. ORTH. I do not recall of my own knowledge; I will assume it was so.

Mr. WALSH. You recall that ships had been sunk off Nantucket?

Mr. ORTH. Perfectly.

Mr. WALSH. And that was before we entered the war?

Mr. ORTH. Before we entered the war?

Mr. WALSH. Yes, sir.

Mr. ORTH. Yes; I remember that.

Mr. WALSH. You recall the *U–53* came into Newport Harbor and sailed out to Nantucket Shoals and sank several merchant ships?

Mr. ORTH. I recall that. When I answered——.

Mr. WALSH. And that was also before several of these votes had been cast which are on the chart?

Mr. ORTH. It was.

Mr. WALSH. Now, in view of that happening, Mr. Orth, would it not be natural for the persons in these particular States to appreciate the proximity of war and the imminence of an attack and the need for more adequate defense than persons living in Montana, Wyoming, Arizona, and some of those more sparsely settled Western States?

Mr. ORTH. It would, naturally.

Mr. WALSH. And it may be possible that a man who voted for the declaration of war and against conscription was voting not only his conscientious convictions, but the sentiment of his own particular district at the time he cast the vote?

Mr. ORTH. Such a thing might be possible.

Mr. WALSH. Now, did you make any investigation in your campaign as to any districts in which German voters, that is, voters of German birth, or children of German parents, predominated?

Mr. ORTH. At what time, sir?

Mr. WALSH. At any time before you issued the chart?

Mr. ORTH. No; I did not.

Mr. WALSH. Well, you know that there are several districts in the Central West where German-Americans, so called, are in majority in the voting population?

Mr. ORTH. Yes; I know that.

Mr. WALSH. How did you ascertain that fact?

Mr. ORTH. Why, I know that chiefly by general newspaper reading.

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Mr. WALSH. Now, then, that being so, it would be natural to expect that districts such as that would not be as enthusiastic for the war as a district in other States where simon-pure American citizens make up the electorate?

Mr. ORTH. Yes, sir.

Mr. WALSH. Well, did you make any special effort to educate and enlighten the voters of those districts in which the German-Americans, so called, predominated?

Mr. ORTH. In so far as the persistent wrong voting of certain Members of Congress indicated such a thing, we did make an endeavor to conduct our educational campaign in those districts.

Mr. WALSH. Did you employ any other means than that used in educating the voters of the New York City districts?

Mr. ORTH. Did we employ any other means than distributing the chart, etc.?

Mr. WALSH. Any other means than you employed in the New York City districts?

Mr. ORTH. None, whatsoever.

Mr. WALSH. You voted at the last election, Mr. Orth?

Mr. ORTH. I did.

Mr. WALSH. You are a voter of New York City?

Mr. ORTH. I am a voter of New York City.

Mr. WALSH. Did you examine the votes of Members of Congress upon the bills, for instance, No. 5, the naval appropriation bill, where there had been a motion to recommit, and then there had been a vote upon the bill—did you analyze those votes?

Mr. ORTH. I did, sir.

Mr. WALSH. You found that a member of the naval committee, who is listed in your chart as having voted right upon everything except section 5, providing for a volunteer reserve army, wholly under Federal control, voted against the naval appropriation bill?

Mr. ORTH. May I ask to whom——

Mr. WALSH. Mr. Browning, of New Jersey?

Mr. ORTH. Yes, sir.

Mr. WALSH. Well, would you say that a man who voted against a bill providing for naval defenses, after a motion to recommit had been defeated, was entitled to like consideration upon your chart to the man who had voted in favor of the bill and in favor of the recommital?

Mr. ORTH. I would say that in that respect the chart speaks for itself.

Mr. WALSH. It does not say anything, though, upon the vote upon the passage, does it?

Mr. ORTH. No; it does not. We did not endeavor in the chart to do anything to interfere with the recipient's own interpretation. We not only stated the measures but gave in our own language what we regarded as the essence of it; and, I should say, our chief reason in doing that was to enable the recipient to size up the importance and the relative importance of those measures as well as the number of them.

Mr. WALSH. It is your contention, Mr. Orth, is it not, that this chart was compiled to assist and educate the people of the country, including the voters, in the selection of Members of the 66th Con-

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gress, and that it was circulated and issued without any partisan purpose in view, and that it was not issued with a view or an intention to participate in any political campaign?

Mr. ORTH. Absolutely. Not only this——

Mr. WALSH. That has answered that question. Now, then, you further contend, as a member of the executive committee and chairman of the congressional committee of the Security League, that any expenditures of money which may have been made by the league in carrying on this activity were not expenditures for any political purpose and need not be reported under any existing law with which you were familiar, or of which you had any knowledge?

Mr. ORTH. Very distinctly. And an examination of the books of account of the National Security League will show the particular purpose for which every cent was disbursed and will further prove that.

Mr. WALSH. Now, you say in reply to my question that that is your contention?

Mr. ORTH. That is my distinct contention.

Mr. WALSH. And that the books will show how the money was expended?

Mr. ORTH. Yes.

Mr. WALSH. Now, Mr. Orth, you did send out to the men upon the roll of honor this chart without any request upon their part?

Mr. ORTH. Yes, sir.

Mr. WALSH. But you did not send it to any other Members of Congress unless they did request it?

Mr. ORTH. I beg your pardon; did you ask whether we sent the chart to Members on the roll of honor?

Mr. WALSH. Yes, sir.

Mr. ORTH. I do not recall from memory. If the letter says so, I should say we did so.

Mr. WALSH. I read the letter which says, "We have published a chart of the votes of the Members of the House of Representatives on preparedness and war"——

Mr. ORTH. We did so; yes.

Mr. WALSH. "A copy of which and digest is inclosed."

Mr. ORTH. We did so send it.

Mr. WALSH. That went to all Members upon the roll of honor?

Mr. ORTH. That went to all Members upon the roll of honor.

Mr. WALSH. But it did not go to other Members unless they requested it?

Mr. ORTH. It did not go to other Members, practically; in a few cases it did, but they are not worth talking about.

Mr. WALSH. Now, can you explain why every Member of Congress was not furnished with a copy of this chart at the time it was first issued?

Mr. ORTH. Why, I endeavored to make that clear this morning. One of the first things I thought of when we contemplated issuing a chart was that it would be fair and proper and courteous to supply it to every political organization in the United States who might be interested in it—I mean as a principle. And I thereupon wrote to Mr. Roper, whom I then thought was the representative of the Democratic national committee, and I wrote to Mr. Hayes, I think.

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whom I knew to be the representative of the Republican committee, and I am practically certain I wrote—yes, I know I wrote—to the Socialist headquarters of the committeemen and asked them in every case for the names of every candidate committeeman in the country, so that a chart could be sent to them. I think I so stated in my letter.

Mr. WALSH. I know. That is the same answer you gave to practically the same question this morning. But I want to know the reason why every Member of the Sixty-fifth Congress was not furnished a copy of this chart.

Mr. ORTH. I would only say the reason is my original desire and intention in the pressure of the work was forgotten.

Mr. WALSH. Was forgotten?

Mr. ORTH. Was forgotten; yes.

Mr. WALSH. But you did not forget the 47 on the roll of honor?

Mr. ORTH. No; because when I happened to send that letter out, it suggested itself in the writing of that particular letter.

Mr. WALSH. Now, it would not have been necessary to have communicated with the national committeemen of either party to have ascertained the names of the Members of Congress?

Mr. ORTH. I think when I wrote to the national committeemen in the first instance that I thought the proper people to whom the chart should be sent would be those people who might eventually become candidates, and it did not strike me that all the Members of Congress would necessarily be candidates, and I had my ideas on getting it to the candidates for Congress.

Mr. WALSH. Did you think that if a man was not going to be a candidate for reelection to Congress that this chart showing the conclusions of the National Security League would be of no interest to him?

Mr. ORTH. My thought about the nominees at that time and in that connection had no connection with the chart whatever.

Mr. JOHNSON. Your idea, then, was it was a strictly political paper, wasn't it?

Mr. ORTH. No, sir; I have not had an idea it was a political paper at any time; but I was simply attempting, in my desire to be fair and courteous, as stated before, to get it into the hands of everybody who might be interested in what we were saying. And our files of correspondence will show that to the committee.

Mr. WALSH. You had charge of the questionnaire sent out by the committee, did you not, Mr. Orth?

Mr. ORTH. I did, sir.

Mr. WALSH. And those were sent out about the beginning of October?

Mr. ORTH. My recollection is they were sent out somewhat earlier.

Mr. WALSH. Can you tell us when they were sent out, Mr. Orth?

Mr. ORTH. I am sorry to say that my file copy of the letter accompanying the questionnaire is undated.

Mr. WALSH. They were sent out over a considerable period of time, were they not?

Mr. ORTH. My secretary advises me that we started out sending them around the end of July to various nominees as far as we could secure the names and addresses of those nominees from the secre-

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taries of state and various other sources. They were sent out more or less continuously from that time on. We had a great deal of difficulty in securing the nominees' names and their addresses.

Mr. WALSH. Names of the nominees, and that included not on Members who were seeking reelection, but candidates who were opposing Members seeking reelection?

Mr. ORTH. Yes, sir. The questionnaire, I may say, was sent to every nominee of every party; that we sought to secure from the Republican, the Democratic, and the Socialist, and in some cases other parties, the names of their nominees, and the questionnaire was sent to every such nominee whose address we obtained.

Mr. WALSH. Will you first state how many questionnaires were sent out by your league?

Mr. ORTH. According to my best knowledge and belief, I should say about 1,000 or 1,100, something between 1,000 and 1,100, some of which, many of which, were duplicated in a second letter to the nominees, advising that the questionnaire had been sent and no reply was received, and a duplicate copy was inclosed, etc. And between about 1,000 and 1,100 nominees were sent a copy of the questionnaire once or oftener.

Mr. WALSH. Was the questionnaire sent to a candidate seeking reelection and to his opponent simultaneously?

Mr. ORTH. In practically all cases, yes; because we usually got those names and addresses at the same time by the same method.

Mr. WALSH. From the Secretary of State?

Mr. ORTH. From the Secretary of State.

Mr. WALSH. Between 1,000 and 1,100 were sent out. How many responded?

Mr. ORTH. According to my best recollection, about 450 responded.

Mr. WALSH. About 450. Have you a record of those who responded?

Mr. ORTH. I have a partial record here and a complete record in the office in New York.

Mr. WALSH. And why was it you only brought a partial record with you, Mr. Orth?

Mr. ORTH. Why, because the only record I have is contained in a memorandum from which I read yestesday, showing the districts in which an intensive campaign was waged amongst the people of the district.

Mr. WALSH. Of the 450 who responded, how many of those were Members of the Sixty-fifth Congress seeking reelection?

Mr. ORTH. I desire to correct one of my replies there. [Reading:] About 430 replies to the questionnaire were received; of these about 145 were from candidates who had previously served, and 285 from new candidates.

Mr. WALSH. So of the number sent out 135 were to Members seeking reelection or who had previously served in Congress?

Mr. ORTH. One hundred and forty-five.

Mr. WALSH. Now, Mr. Orth, I direct your attention to the paragraph upon the questionnaires reading as follows:

The work of this committee is strictly nonpartisan. This questionnaire is being addressed to the nominees to Congress of every party. The replies will be carefully examined and compiled for publication. Two blanks are sent to enable candidates to preserve a copy of their reply. If replies are not received within

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a period equal to mail-time plus 10 days, it will be regarded as a declination to respond, in which case the committee will send copies of the questionnaire to friends and opponents of the candidate for the purpose of securing the best available data.

What did you mean by saying that "if a candidate did not respond within a period equal to mail-time plus 10 days, you would send a copy of the questionnaire to friends and opponents of the candidate for the purpose of securing the best available datad"?

Mr. ORTH. The provision that if candidates did not answer, copies would be sent to friends and opponents, was stated because it seemed to be necessary and proper to be entirely frank that our plans in this respect should be known by all the candidates.

Mr. WALSH. You had already in your letter sending out the questionnaire stated that it was being submitted to every official candidate for Congress, had you not?

Mr. ORTH. Yes.

Mr. WALSH. And you certainly would not expect to procure from the opponent of a candidate the best available data of the candidate's position upon these questions which you asked him, would you?

Mr. ORTH. The questionnaire says that copies would be sent to friends and opponents, not merely to opponents.

Mr. WALSH. Will send copies of the questionnaire to friends and opponents of the candidate for the purpose of securing the best available data. Now, you mean by that, friend of the candidate who is seeking reelection and the opponent of the candidate who is seeking election?

Mr. ORTH. That is the idea.

Mr. WALSH. Now, then, where would you get the names of the candidate's friends?

Mr. ORTH. Why, as a matter of fact—I think this answer is responsive—as a matter of fact, that plan was never carried out on account of lack of time and money. But my intention was to try to get the names of the friends and opponents from the various newspapers of the district.

Mr. WALSH. Did you send any copies of the questionnaire to the friends of any candidate who had failed to respond?

Mr. ORTH. We did not, according to the best of my recollection.

Mr. WALSH. Did you secure from any opponent of candidates who failed to respond any data?

Mr. ORTH. We did not.

Mr. WALSH. Now, Mr. Orth, this questionnaire calls for the name, residence address, business address, present occupation, occupation for the past 15 years, public offices previously held by the candidate, among other things, did it not?

Mr. ORTH. Yes, sir.

Mr. WALSH. Who compiled the query with reference to the occupation for the past 15 years?

Mr. ORTH. I did, sir.

Mr. WALSH. How did you happen to select that period of time?

Mr. ORTH. Why, it was selected because I thought that the occupations of the candidate for, say, the past 15 years would throw a certain amount of additional light on question No. 10, "By what achievements in politics, business, or professional life has the can-

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didate demonstrated his ability to cope with the problems of the Nation?" It would be illuminative to the people to whom we distributed our literature.

Mr. JOHNSON. If you were not going to participate in politics and were not doing so, why did you want that information?

Mr. ORTH. Well, because we felt it would help show the various qualifications of the men who were running for office.

Mr. JOHNSON. Why did it concern you, if you were not interested in politics?

Mr. ORTH. Because we were frankly engaged in an educational campaign on the subject.

Mr. WALSH. Did you think that Members of Congress were being elected from districts the voters of which did not know the occupation of the candidate for the preceding 15 years, or what public offices he had previously held?

Mr. ORTH. Surely. A great many candidates were running in districts where in parts of which they probably had never been heard of before, and in parts of which whose history was not known. in parts of the district.

Mr. WALSH. What particular districts did you have in mind?

Mr. ORTH. I had no particular district in mind. I had the whole United States in mind.

Mr. WALSH. Do you think there were many candidates for the important position of Members of the House of Representatives in a New Hampshire district, for instance, the voters of which did not know the occupation of the candidate and what offices he may previously have held?

Mr. ORTH. I think there may have been. You must bear in mind that this questionnaire was not confined to any one district.

Mr. WALSH. And do I understand this questionnaire was uniform to all districts?

Mr. ORTH. The questionnaire was uniform to all districts. I think even in New Hampshire it might have been entirely possible men who had been running for the past 15 years or for the past year were not known to some people in the district.

Mr. WALSH. Did you think it would be of value to enlighten the voters as to whether a man was working in a grocery store or practicing law 15 years prior to his running for the House of Representatives?

Mr. ORTH. I thought it might be helpful, and I desired to help in any way I could.

Mr. WALSH. Wouldn't you think it might also be helpful to tell them where he was born and how long he had been a citizen?

Mr. ORTH. Why, yes; I think it would have been.

Mr. WALSH. And whether he had been married?

Mr. ORTH. I do not know that would have affected the question.

Mr. WALSH. Or whether he had ever had any military service?

Mr. ORTH. I never thought of that, Congressman.

Mr. WALSH. I suppose that would be included in "a native"?

Mr. ORTH. That would have been included in any case.

Mr. WALSH. Now, then, you say "what has been the candidate's position since July, 1914, on preparedness." You went back further in your questionnaire than you did in the chart, didn't you?

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Mr. ORTH. I did.

Mr. WALSH. Why was that?

Mr. ORTH. Because I thought that it might be an illuminating thing in an educational sort of way to the people of the country to see what the leading men, more or less leading men, of 435 congressional districts in the United States had felt and thought on the question of preparedness from the time that the shadow of war first raised its head.

Mr. WALSH. Now that time was fixed with reference to the breaking out of the European war?

Mr. ORTH. Yes, sir.

Mr. WALSH. Did you feel, in common with other members of the league, Mr. Orth, with some of the other members of the league, that as early as March, 1916, this Nation was being gradually brought into the European war?

Mr. ORTH. My personal opinion was that it was unavoidable.

Mr. WALSH. That was based upon what was occurring on the part of Germany?

Mr. ORTH. That was based upon the continual violations of our rights by Germany, plus the belief on my part that it was not unlikely that Germany might be able to defeat the allies.

Mr. WALSH. Do you share the views of Mr. Menken that if we had been properly prepared in March, 1916, we probably might not have been brought into the war? Of course, it is mere speculation, but I would like to ask your views.

Mr. ORTH. Why, I believe if the United States had been properly prepared that it would have had a very powerful influence on the whole conduct of the war before we entered it, on the ground that Germany and her allies had a thorough contempt for our military prowess and conducted themselves accordingly.

Mr. WALSH. Well, Germany had been led to understand from public utterances of a perhaps semiofficial character, that the United States would not enter the conflict, hadn't she?

Mr. ORTH. Why, it had.

Mr. WALSH. Mr. Chairman, I have not concluded with Mr. Orth, but I think it is hardly fair to the other members of the committee that I should continue, particularly when it was arranged that another Member should follow Mr. Browne; and if there is no objection I should like to discontinue for the present and give other members of the committee an opportunity to proceed with the examination. I have quite a number of other matters I desire to inquire about.

Mr. JOHNSON. I believe it is the arrangement Mr. Caraway is to take the witness next, and I would like to hear from Mr. Caraway relative to your suggestion.

Mr. CARAWAY. It does not make any difference to me; any time.

Mr. WALSH. Are you ready to go ahead?

Mr. CARAWAY. Any time. I do not object to your going ahead until you finish.

Would you permit me to ask just one question?

Mr. WALSH. Yes.

Mr. CARAWAY. You said Germany had been given to understand by a semiofficial source that we would not enter the war. Will you tell us the source?

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Mr. ORTH. Will the stenographer read what I said about that?

The stenographer (reading):

Why, I believe if the United States had been properly prepared that it would have had a very powerful influence on the whole conduct of the war before we entered it, on the ground that Germany and her allies had a thorough contempt for our military prowess and conducted themselves accordingly.

Mr. ORTH. Now, you see, I did not say anything of the kind.

Mr. CARAWAY. Wait a minute. Read his next answer, Mr. Stenographer.

The stenographer (reading):

Mr. WALSH. Well, Germany had been led to understand from public utterances of a perhaps semiofficial character that the United States would not enter the conflict, hadn't she?

Mr. ORTH. Why, it had.

Mr. CARAWAY. Now, who was that semiofficial source that made utterances of that kind?

Mr. ORTH. Why, the source was the statements—[after a pause].

Mr. CARAWAY. I wish you would note that the witness hesitates in his answer.

Mr. ORTH. Will you be kind enough to read that question again. I am sorry to delay the Congressman, but I desire to get the thing as straight as possible.

Mr. CARAWAY. Don't you think you ought to know that before you make your statement?

Mr. ORTH. I could not know it and I could not know it in a way as you want it to be proved.

Mr. CARAWAY. Shouldn't you have known, before you made that statement, what that semiofficial source was?

Mr. ORTH. I am very anxious to testify correctly and honestly, but you must admit that the haste of the witness to answer promptly is such that the witness is entitled to a little consideration.

The stenographer (reading):

Now, who was that semiofficial source that made utterances of that kind?

Mr. ORTH. I shall have to withdraw that answer, because when I answered I believe I had in mind official, not semiofficial.

Mr. CARAWAY. Who was the official person who had made a statement of that kind?

Mr. ORTH. I understood that the President of the United States had declared our neutrality.

Mr. CARAWAY. That we would not enter the conflict under any circumstances?

Mr. ORTH. No.

Mr. CARAWAY. What statement did he ever make that would lead Germany to believe if she violated our rights we would not enter the war?

Mr. ORTH. I do not know of any statement that the President made to that effect.

Mr. WALSH. Mr. Orth, are you familiar with the fact that on November 19, 1917, Mr. Menken called attention that in the spring of 1918 nominations would be made for Members of Congress for the elections to be held in the following fall, and emphasized the importance of the election of a Congress thoroughly loyal in support of the war?

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Mr. ORTH. What date was that, may I ask?

Mr. WALSH. November 19, 1917.

Mr. ORTH. No; I was not familiar with that.

Mr. WALSH. Are you further familiar with the fact that a committee of three was appointed to formulate plans to assist in the election of loyal Congressmen, and that Messrs. Lydecker, Barry, and Hornblower were appointed such a committee?

Mr. ORTH. I never heard of that before.

Mr. WALSH. Are you familiar with the fact that on October 19, 1916, the league issued several thousand placards reading as follows: 'Vote for the candidate for Congress in your district, irrespective of party, who believes in the principles of preparedness, universal obligatory military training, an adequate Army, a Navy second in strength, governmental efficiency, industrial preparedness, country above party, patriotism through education, and a unified national spirit?

Mr. ORTH. I never heard of it before.

Mr. JOHNSON. Yet you can state that your league has not been meddling in politics in the face of that statement?

Mr. ORTH. I can state that since my connection with the league and my activities with the league, it has not been meddling in politics. That is all I have attempted to testify to.

Mr. CARAWAY. You were in the league from what time.

Mr. ORTH. June, 1918.

Mr. CARAWAY. Did you know that on July 25, 1918, the Security League had secured the appointment of a committee of 50 people to cooperate with the hope to defeat a certain candidate for the Senate in one of the States of the Union?

Mr. ORTH. I had not the slightest knowledge of it, and have not now.

Mr. CARAWAY. Your statement, then, the league had not meddled in politics of that kind, simply means that you had no personal knowledge of it?

Mr. ORTH. That the congressional committee of the National Security League or I had no personal knowledge of it.

Mr. CARAWAY. You did not qualify your answer by saying the congressional committee or yourself; you simply said the league had no political activities of that kind.

Mr. ORTH. Then I amend my answer.

Mr. JOHNSON. That is the way you have testified right along.

Mr. ORTH. My activities were limited by the scope of my authority in the league.

Mr. CARAWAY. And the president of the league has testified to that, and the other witnesses.

Mr. WALSH. Are you familiar with the fact that on July 14, 1916—I read from the stenographer's transcript of testimony, page 336, reading a portion of the statement which Mr. Menken started to read in New York, and which was inserted in the record without being read in full, as to what the league had done—

A summary of the votes in Congress on four measures was sent out to the secretaries and the chairmen of the league's branches with the request that they indorse the men who had voted for preparedness and stimulate a sentiment for national defense in the districts where the Representatives had opposed preparedness.

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Mr. ORTH. I had no knowledge of it.

Mr. WALSH. In your capacity as chairman of the congressional committee, have you come across any literature, correspondence, placards, or publications of any sort, which were used in that campaign of 1916?

Mr. ORTH. I have not; I have seen nothing which would give me the slightest hint or knowledge of those publications.

Mr. WALSH. I assume the files of the committee contains the matter that was used in 1916—the files of the league?

Mr. ORTH. The files of the league, I should say, contains everything that was used in 1916.

Mr. WALSH. Now, Mr. Orth, you gave 48 districts, I think, yesterda, 47 or 48, in which, according to one of the press releases, prepared by your director of publicity, Mr. Harvey, particular effort was to be made to educate and enlighten the voters upon the records of their Congressmen?

Mr. ORTH. I did.

Mr. WALSH. In the Twenty-first Illinois district, you said the candidates were Graham, Democrat; and Wheeler, Republican; and your chart discloses that Mr. Wheeler, Republican, voted wrong on three of your eight test votes?

Mr. ORTH. Yes, sir.

Mr. WALSH. On the McLemore resolution, on the Cooper amendment, and on the declaration of war. Did you know anything about the sentiment of his district upon those three matters?

Mr. ORTH. No.

Mr. WALSH. Did you make any attempt to find out?

Mr. ORTH. I did not.

Mr. WALSH. What did you attempt to do toward educating the voters of that district?

(The witness examines papers.)

Mr. WALSH. Mr. Orth, if your response to this question requires your assistant getting some literature, I will pass it over, and let you have the matter procured, and ask you something else.

Mr. ORTH. Why, in that district, we sent—in that district, as well as in all the other districts, which I enumerated yesterday, and in other districts, regarding which I have not yet been questioned, we sent these release sheets, one of which has already been produced by the committee.

Mr. WALSH. Yes, sir.

Mr. ORTH. And this is headed "The Security League centers congressional campaigns in 94 scattered districts." I do not suppose it is necessary to refer to it in detail, because I believe the committee is familiar with it. We also sent out two other release sheets, which have not yet been put in evidence, and which I offer. I am sorry to say they are not dated, and I do not know—yes; I do know. The one which followed the release sheet, which is already in evidence, reads as follows:

Released for immediate publication from the National Security League, 19 West Forty-fourth Street, New York City, E. L. Harvey, Publicity Director. The National Security League is sending every candidate for Congress a questionnaire containing 11 inquiries, as follows:

Shall I read, Mr. Chairman, the 11 inquiries? They are an exact copy of what is in the questionnaire.

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Mr. WALSH. They are copies of the questions which appear upon the questionnaire about which I have already asked you?

Mr. ORTH. Exact copies of the 11 questions.

Mr. WALSH. May I ask if you have a spare copy of that questionnaire?

Mr. ORTH. I think so.

Mr. WALSH. Will you hand it to the stenographer so that it may be incorporated in the record, as to what appears in the questionnaire, if you have a spare one?

Mr. ORTH. I think I have, sir.

(The paper referred to is as follows:)

[The National Security League (Inc.), 19 West Forty-fourth Street, New York. Elihu Root, honorary president; Alton B. Parker, honorary vice president; Charles E. Lydecker, president; Henry L. West, executive secretary. Congressional committee, Charles D. Orth, chairman.]

QUESTIONNAIRE.

The work of this committee is strictly nonpartisan.

This questionnaire is being addressed to the nominees to Congress of every party. The replies will be carefully examined and compiled for publication.

Two blanks are sent to enable candidates to preserve a copy of their reply.

If replies are not received within a period equal to mail time plus 10 days, it will be regarded as a declination to respond, in which case the committee will send copies of the questionnaire to friends and opponents of the candidate for the purpose of securing the best available data.

1. Name.
2. Residence address.
3. Business address.
4. Present occupation.
5. Occupations for the past 15 years.
6. What public offices previously held.
7. (A) What has been the candidate's position since July, 1914, on preparedness?

(B) In what way is the candidate directly on record as expressing these views?

(C) Is the candidate's present position the same as given in answer to (A)?

8. (A) What was the candidate's viewpoint about the United States entering the war prior to the declaration of war, April 5, 1917?

(B) What record exists embodying these views?

(C) Have the candidate's views since changed regarding the participation of the United States in the war?

9. Will the candidate pledge himself to be an advocate of peace with victory—by which is meant a vigorous prosecution of the war until Germany, Austria, and Turkey concede the claims of the allies?

10. By what achievements in politics, business, or professional life has the candidate demonstrated his ability to cope with the problems of the Nation?

11. What other views or policies regarding the war and reconstruction does the candidate advocate?

Please reply to questions 1 to 6 in the spaces provided above.

Replies to questions 7 to 11 should be made in the blank spaces on pages 2, 3, and 4; please number each reply to correspond to the question.

Mr. WALSH. You state in this release sheet, Mr. Orth—

Candidates who have in the past shown a lack of vision and foresight, or of courage and resolution, or a lack of statesmanship, which the President has described as the ability to lead and instruct the mass of men, should be firmly and resolutely cast aside.

Mr. ORTH. Yes, sir.

Mr. WALSH. Now, the way in which the voter was to make up his mind as to whether these candidates lacked vision or had courage or statesmanship or ability to lead and instruct the mass of the men,

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Mr. ORTH. Just set it loose and trusted to luck to its reaching the ple in the same way we trust to luck when we sent a pamphlet . Member of Congress, whether he will read it or not.

Mr. WALSH. And of the questionnaires which you sent to the mbers of Congress, 145 came back?

Mr. ORTH. One hundred and forty-five came back from Members Congress; yes, sir.

Mr. WALSH. Directing your attention, Mr. Orth, to the first West rginia district, in which Mr. Neely was the Democratic candidate d Mr. Schalk was the Republican candidate, but in which Mr. ely, according to your chart, voted four times wrong, did you make y inquiry to ascertain or have you any information to the effect at Mr. Schalk, Republican candidate in West Virginia, was dededly and outspokenly pro-German and against this war?

Mr. ORTH. No, sir; we did not. But one of the objects of the uestionnaire was to enable Mr. Neely to say that, if he had paid any ttention to the questionnaire.

Mr. WALSH. Do you know when the questionnaire was sent to Mr. Neely?

Mr. ORTH. I could not answer that without looking up to see when we got our returns from the secretary of the State of West Virginia.

Mr. WALSH. Is there anything on the questionnaire that gave Mr. Neely an opportunity to say that his opponent was decidedly pro-German and against the war?

Mr. ORTH. No; I do not think there was, in words.

Mr. WALSH. In words; well, are there any symbols?

Mr. ORTH. Why, no.

Mr. WALSH. This was not to get Mr. Neely's opinion about his opponent, was it, Mr. Orth; this questionnaire?

Mr. ORTH. It was that, among other things; and I may say I have a very distinct recollection of many questionnaires referring to a candidate's opponent, which questionnaires were published, as all such questionnaires were, absolutely in full.

Mr. WALSH. In reply to what question on the questionnaire could a candidate fairly criticise his opponent on the views of his opponent? Will you indicate the question on that questionnaire?

Mr. ORTH. There is no specific question in which he could.

Mr. WALSH. So, unless he volunteered it——

Mr. ORTH. Unless he volunteer it.

Mr. WALSH. Did you in any case make inquiry of the candidate's friends as to the attitude of opposing candidates?

Mr. ORTH. No, sir; I did not.

Mr. WALSH. Well, if in a district in which a man had voted wrong four times, according to the National Security League, you would prefer to have that candidate rather than a man who was a candidate and was opposed to the war and decidedly pro-German in his views, wouldn't you?

Mr. ORTH. Surely.

Mr. WALSH. Suppose he had voted wrong eight times and was opposed by the man who had decidedly pro-German views and was against the war?

Mr. ORTH. It would be very difficult to distinguish between the two.

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Mr. WALSH. Wouldn't you take into consideration, in distinguishing between the two, then, his attitude since he voted against conscription down to the time you sent out your chart, and ascertain how he had been supporting war measures?

Mr. OLNEY. I think in an abstract way it would have been proper to do that; but it was a physical impossibility for the National Security League to go into that infinity of detail in respect to every one of the 435 districts; there had to be a limit to what the league did, not only on account of the lack of time and money, but because of the physical impossibility for me to do the work, and also for reasons of abstract propriety.

Mr. WALSH. But in your questionnaire you inquire, "Has the candidate's views since changed regarding the participation of the United States in the war"; will he "pledge himself to be an advocate for peace with victory, by which is meant a vigorous prosecution of the war until Germany, Austria, and Turkey concede the claims of the allies," and "What other views regarding the war and reconstruction does the candidate advocate"?

Mr. OLNEY. Yes; it was within the scope of the work which we were able to do; but we could not go on indefinitely beyond that, hunting up what the candidate's position had been on this, that, or the other question, and give any utterance to it. That was manifestly impossible.

Mr. WALSH. You opened the door to a pretty wide discussion as to the attitude of the candidate when you say "what other views or policies regarding the war and reconstruction does the candidate advocate," did you not?

Mr. OLNEY. Yes; but we [illegible] within practical limits.

Mr. WALSH. [illegible]

Mr. OLNEY. [illegible]

Mr. WALSH. [illegible]

Mr. ORTH. I do not know that Mr. Menken told him anything.

Mr. CARAWAY. You don't know whether he told him you would do anything?

Mr. ORTH. No.

Mr. CARAWAY. Were you present?

Mr. ORTH. No.

Mr. CARAWAY. Did Mr. Menken tell you what he told them?

Mr. ORTH. Yes.

Mr. CARAWAY. What did Mr. Menken tell you he told them?

Mr. ORTH. That he thought it would be a good idea if the Democrats and Republicans would agree upon a fusion candidate at the primaries to defeat an antiwar Socialist.

Mr. CARAWAY. That is what he told you he told them?

Mr. ORTH. That is what he told me he told them.

Mr. WALSH. Among the 47 or 48 districts is the thirteenth Indiana, in which Mr. Barnhart was the Democratic candidate and Mr. Hickey was the Republican candidate, and, according to your chart, Mr. Barnhart voted wrong five times, and on No. 5, a motion to recommit the naval appropriation bill, he is recorded as not voting. Did you have any correspondence with Mr. Barnhart?

Mr. ORTH. I had considerable correspondence with Mr. Barnhart.

Mr. WALSH. Didn't you know, as a matter of fact, that the reason he missed the vote on the motion to recommit the naval appropriation bill was because he was at the bedside of his dying wife?

Mr. ORTH. He so wrote me, and I wrote him back——

Mr. WALSH. Did you believe him?

Mr. ORTH. I surely did.

Mr. WALSH. Did you attempt to make any explanation to bring that to the attention of the voters of his district?

Mr. ORTH. I do not think I did. The correspondence with Mr. Barnhart was becoming so voluminous that it was impossible of publication.

Mr. JOHNSON. There was one instance when you did not enter politics, wasn't it; that was a clear case of where you did not enter politics?

Mr. ORTH. It was, like every other case, perfectly clear we did not enter politics.

Mr. WALSH. What did you say about the correspondence?

Mr. ORTH. That it had become so voluminous it was practically impossible to publish it.

Mr. WALSH. And you left a situation resulting in an injustice remain?

Mr. ORTH. That situation resulting in a minor injustice remained. Mr. Barnhart could have explained to the people of his district why he was recorded as not voting on that vote.

Mr. WALSH. Yes, he could have explained whether this chart had been issued or not; but this chart was issued and it required an explanation upon his part, did it not?

Mr. ORTH. I do not think it required an explanation. That was a copy of the Congressional Record. I do not think it was necessary for the National Security League to edit the Congressional Record.

Mr. WALSH. You think the Congressional Record has as wide a circulation as the congressional chart of the Security League has?

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Mr. ORTH. No; but I believe it has an authority which the chart of the Security League has not got; and that the chart of the National Security League was regulated entirely in its issue and conception by the fact that it seemed to us necessary to give nothing except votes as they were recorded in the Congressional Record.

Mr. WALSH. Well, Mr. Orth, if the Congressional Record recorded that Mr. Barnhart upon the date of that vote was excused and granted a leave of absence because of the last illness and the death of his wife, would it not have been perfectly possible to have indicated that fact by a footnote upon your chart?

Mr. ORTH. It would have been possible, but it would have required the insertion of so many similar footnotes as to have made the publication of the chart wholly impracticable.

Mr. WALSH. It might have made it impracticable, but it would have set forth the facts and would have been fairer to him, would it not?

Mr. ORTH. It would have set forth the facts and it would have been fairer, surely; and I want to say that I would have liked very much to have given prominence to that fact. I regret an instance of that kind very much, and heartily sympathized then and now with Mr. Barnhart.

Mr. JOHNSON. Did you prefer to leave a false impression rather than to take the time to tell the truth about it?

Mr. ORTH. No, I did not.

Mr. JOHNSON. Evidently you did that, didn't you?

Mr. ORTH. I do not see there is any evidence to indicate that.

Mr. WALSH. Are you familiar with the utterances of the late Col. Gardiner, a Member of the Sixty-fourth and Sixty-fifth Congresses, with respect to preparedness?

Mr. ORTH. More or less so.

Mr. WALSH. Have you read his speeches?

Mr. ORTH. I have read a great many of them.

Mr. WALSH. Was he ever present——

Mr. ORTH. I beg your pardon; you mean his speeches in the House?

Mr. WALSH. Yes, sir.

Mr. ORTH. Yes, I have read a great many of those.

Mr. WALSH. Were you present at any conference with the late Congressman Gardiner?

Mr. ORTH. I never had the honor of meeting him, sir.

Mr. WALSH. What did the league do when it received no questionnaire from either candidate in any particular district?

Mr. ORTH. It sent what was known as a follow-up letter.

Mr. WALSH. Yes, and when it received nothing in response to that, what did it do?

Mr. ORTH. It did nothing.

Mr. WALSH. What did the league do in districts where there was only one nominee upon the ballot, and his record, according to the league's chart, was irredeemably wrong?

Mr. CARAWAY. He said that the league did nothing after they send their follow-up questionnaire and got no reply. Do you stay with that statement, Mr. Orth?

Mr. ORTH. Why, I do; sir.

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Mr. CARAWAY. Don't you know you sent telegrams in some instances to candidates?

Mr. ORTH. I do not recall sending any telagram to any candidate.

Mr. CARAWAY. Will you say you didn't do it?

Mr. ORTH. No; I won't say I didn't do it.

Mr. CARAWAY. Then you won't stand by your statement that you sent nothing?

Mr. ORTH. Yes, Congressman; I will stand by my statement in substance.

Mr. CARAWAY. Oh; but it is either one way or the other?

Mr. ORTH. I am testifying in regard to 435 congressional districts.

Mr. CARAWAY. Will you say you sent as many as 50 telegrams?

Mr. ORTH. I will say I did not; I will say I did not send as many as five.

Mr. CARAWAY. Will you say you did not have individuals go to see Members of Congress?

Mr. ORTH. Absolutely not; in any single instance.

Mr. CARAWAY. Do you know Mr. Abbott?

Mr. ORTH. Mr. Lawrence F. Abbott?

Mr. CARAWAY. I do not know what the other name is; but he belongs to the league.

Mr. ORTH. I presume you mean Mr. Lawrence F. Abbott.

Mr. CARAWAY. Did he act with you?

Mr. ORTH. He did not.

Mr. WALSH. What would you do, Mr. Orth, in a district in which there was only one candidate and his record was wholly wrong or six-eighths wrong, or five-eighths wrong?

Mr. ORTH. Why, nothing beyond the original circulation of the chart.

Mr. WALSH. Well, you could not hope to accomplish anything in relation to the Sixty-sixth Congress in a district where there was only one candidate's name on the ballot, whose record was wrong, according to the chart, by sending that chart into that district, could you?

Mr. ORTH. No; we would have liked to have done so; but as I have said several times before, there were limitations to our funds and to our time, and to my physical ability.

Mr. WALSH. Well, if you had all the funds you needed after the nominations were made, and only one party nominated, and the nominee was a candidate for reelection, there was nothing you could have done to have prevented his election, was there?

Mr. ORTH. My guide would not have been the question of his election; it would have been the educational part of our work.

Mr. WALSH. Well, the educational part of your work would not have affected that election, would it?

Mr. ORTH. I would not immediately have cared about that.

Mr. WALSH. Sir?

Mr. ORTH. I would not have immediately cared about that; the educational work of the league don't have to do with the last election; it has to do with all time; all present time.

Mr. WALSH. So you are educating the people not only for the November, 1918, election, but for future elections, as well?

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Mr. ORTH. Not educating them necessarily, Congressman, for any election.

Mr. WALSH. You used the records of votes of candidates at election as a part of your education, didn't you?

Mr. ORTH. Yes. I venture to say that histories 50 years hence will probably do the same thing in an educational endeavor.

Mr. WALSH. That they will use this chart?

Mr. ORTH. No; use the votes of Members of Congress.

Mr. WALSH. Votes of Members to educate the people?

Mr. ORTH. To educate the people.

Mr. WALSH. Along the lines suggested by the Chief Executive that Members of Congress should be competent and qualified to lead the thought of the mass of the people?

Mr. ORTH. Along those and other lines.

Mr. WALSH. And that in addition to this being a representative Government, it is a Government in which the representatives of the people should lead the great mass of the people?

Mr. ORTH. Quite correct; that the——

Mr. WALSH. And that in leading them they should disregard the views of the great mass of the people and seek to impress upon the great mass of the people the views of the representative?

Mr. ORTH. Yes; where the views of the representative differed from those of the great mass of the people.

Mr. WALSH. Now, then, what is the standard and by whom shall it be fixed which shall be followed by the representatives of the people in this important work of leading the thought of the great mass of the people?

Mr. ORTH. I should say that the standard would have to be fixed by the honesty, courage, and sound judgment of the representatives.

Mr. WALSH. Yes, sir. Now, in this form of Government of ours, Mr. Orth, majorities are usually right, are they not?

Mr. ORTH. I think they are, on the whole, as far as my observation goes.

Mr. WALSH. And if the lack of preparedness on the part of Congress was the view of the majority of the representatives of the people would you seriously contend that the representatives were negligent of the interests of their constituents?

Mr. ORTH. Yes; I think they were in that case. There are exceptions to every rule, but I think that was a very notable exception to the rule where the people are always right. I believe that the very large percentage of the people of the country were in favor of preparedness in 1916, even.

Mr. WALSH. Has your committee conferred or taken any action with reference to the future activities of the league?

Mr. ORTH. In congressional work?

Mr. WALSH. Yes, sir.

Mr. ORTH. It has.

Mr. WALSH. The President having stated "The war thus comes to an end, peace being under negotiation," and one of the recommendations of the President being a reduction by international agreement, with adequate guaranties given and taken, for a reduction of armaments to the lowest point consistent with domestic safety, what particular activity with reference to preparedness is it contemplated by your league will be taken with reference to congressional campaigns?

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Mr. ORTH. Why, I did not mean to reply to the previous question that the league had discussed any future policy of the congressional committee with regard to the issue of preparedness. It has not. It has been on general issues and work of the congressional committee.

Mr. WALSH. More particularly perhaps with reference to reconstruction matters?

Mr. ORTH. No.

Mr. WALSH. What are the general issues?

Mr. ORTH. Why, first, that the league will continue to publish charts showing the votes of Members of Congress on matters of fundamental importance, and——

Mr. WALSH. Pardon me for interrupting. Will you state some matters that you consider of fundamental importance, now, the war having been won?

Mr. ORTH. I should say that the first important matters— [After examining papers.] This is merely my personal opinion at the present time, which will have to be modified by conditions and circumstances as they arise from time to time—I should say the first very important matters to be included would be the questions attending reconstruction in case there should be any difference of opinion on questions of reconstruction.

Mr. WALSH. That would involve or that would comprehend within it such questions as universal military training, would it not?

Mr. ORTH. It would if we could find that the voice of the people, so far as we could interpret it, was distinctly stated—so far as we could make it out.

Mr. WALSH. And it might also involve the question of railroad legislation in the future?

Mr. ORTH. I think that would be very unlikely.

Mr. WALSH. You do not know?

Mr. ORTH. I think that would be very unlikely that anything like that would be included.

Mr. WALSH. It might involve the operation of the telephones and telegraph?

Mr. ORTH. I doubt that very much.

Mr. WALSH. Mr. Orth, that would be—those questions would raise a very important public policy, would raise the determination of a question of important public policy, would they not?

Mr. ORTH. They would.

Mr. WALSH. And don't you think that the public might require to be educated upon those questions?

Mr. ORTH. Why, as far as—I do not believe that a standard of judgment has been sufficiently outlined yet to enable the people of the country to have very much more than an inclination one way or the other on that point. Some people have a very definite opinion or desire, and other people have not.

Mr. WALSH. When you state of first importance would be the problems attached to reconstruction, what particular problem would you call a reconstruction problem?

Mr. ORTH. Why, I should say the question of adequately caring for the laborers of the country and making some endeavor to guard against industrial distress; I should say a proper endeavor on the part of Congress to bring about an improvement in the Americanization of the United States, which are perhaps typical of measures of

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outstanding importance, among others, that might arise that would have to be determined afterwards.

Mr. WALSH. Americanization—you mean instilling into the hearts of our citizens and those who are to be our citizens, the ideals of our Government and devotion to its principles and loyalty to its institutions?

Mr. ORTH. I mean a loyal heart to America.

Mr. WALSH. Yes; that comprehends all the others. Well, you are at present engaged in having speakers at street corners attempting to forestall the spread of Bolshevism, are you not?

Mr. ORTH. The National Security League has a branch or bureau.

Mr. WALSH. Now, they get the ideas which they are discussing in their street-corner meetings from some other department of the league with which you have nothing to do?

Mr. ORTH. Entirely. I mean I have absolutely nothing to do with that department of the league.

Mr. WALSH. But they are being utilized, these speakers, to educate the people who will listen to them, and to enlighten them upon conditions existing and conditions which are impending?

Mr. ORTH. They are.

Mr. WALSH. So far as you know?

Mr. ORTH. Yes.

Mr. WALSH. What other activity do you have in mind upon which it may be necessary to publish the votes of Members of Congress, outside of reconstruction matters?

Mr. ORTH. I have none definitely in mind. It would depend entirely upon developments and happenings and the apparent inherent importance of what transpires.

Mr. WALSH. As far as you now know, Mr. Orth, you expect to continue as a member of the committee on congressional work for the league?

Mr. ORTH. As far as I now know; yes, sir.

Mr. WALSH. And if you were to issue these charts again, knowing what you do now, would you issue them in the same form and manner and utilize them in the same way, for the same purpose, as you did in the 1918 campaign?

Mr. ORTH. Absolutely.

Mr. WALSH. You would not attempt, by way of foot notes or other methods, to bring to the voters, as briefly as you brought to them the effect of certain measures, the effect of certain votes or any extenuating circumstances in individual cases?

Mr. ORTH. Oh, I think I might make a change in respect to the matter you pointed out this morning in regard to the McLemore resolution; I might make such a change, but I would make no endeavor of any kind to meddle with or modify the votes as recorded in the Congressional Record; nor would the National Security League at any time make any endeavor to create a record of Congressmen or candidates for Congress or any political officer, I mean, connected with the congressional committee, based upon the opinion of the committee. It would depend entirely upon the vote and nothing else.

Mr. WALSH. You have not done that in your chart, have you?

Mr. ORTH. No. But in a chart the man was speaking absolutely for himself; we were not speaking for him.

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Mr. WALSH. There is nothing in the Congressional Record, there is no vote case in Congress by the yea and nay of the record vote, so called, as to whether a man is voting right or wrong, is there?

Mr. ORTH. No; there is not.

Mr. WALSH. And that is what your chart says?

Mr. ORTH. That is what the chart says.

Mr. WALSH. The chart in that respect expresses the opinion, as we believe, very strongly believe, of a majority of the people of the United States.

Mr. WALSH. Yes; and if a majority of the people believed as you believed, that a man voted wrong eight times, it is unlikely that he would be reelected, isn't it?

Mr. ORTH. I think that is the conclusion, sir.

Mr. WALSH. Yes. And then, if he was reelected after having voted wrong eight times, you would say either that you were mistaken in believing that he voted wrong, or that the people of his district required further education?

Mr. ORTH. I would have to say one of those things. And we would very jolly—we would be very careful not to include anything in the chart which did not pretty distinctly, in the opinion of the people of the United States, indicate what was right and what was wrong.

Mr. WALSH. Yes.

Mr. ORTH. We would not come down to any fine-spun measures or points.

Mr. WALSH. Mr. Orth, do you believe that the voters of the various districts of the several Congressmen who were seeking reelection would have been less enlightened and that your chart would have had less educational value if instead of characterizing the votes as right and wrong you had done as was done in the Senate chart, by indicating them as voting for and against?

Mr. ORTH. That is my personal opinion.

Mr. WALSH. Don't you think the voters were entitled to just as much enlightenment and education in the selection of Senators as they were Members of the House of Representatives?

Mr. ORTH. I do.

Mr. WALSH. Then why didn't you use "right" and "wrong" in the case of Senators?

Mr. ORTH. Why, because I was requested by the president of the league to issue the Senate chart in the way that it was issued.

Mr. WALSH. Who was the president at that time?

Mr. ORTH. Col. Lydecker.

Mr. WALSH. Col. Lydecker?

Mr. ORTH. Yes.

Mr. WALSH. Did he give you any reason why he wanted a different characterization of the votes in the Senate chart than he did in the House?

Mr. ORTH. Yes; he referred to certain comments which has been made in meetings of the executive committee of the National Security League, to the effect that a presentation "right" and "wrong" might be interpreted as a partisan indication; and he said that he therefore would prefer to have the Senate chart altered in the manner in which it was altered. The alteration was contrary to my wish

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and desire, but as I am only one of the spokes in the wheel I thought it wise and proper to defer to the wishes of the president of the organization, but would have preferred the Senate chart to have gone out "right" and "wrong"; I would very much have preferred it.

Mr. WALSH. You believe that the electorate of the ordinary congressional district in the United States are not possessed of sufficient intelligence to vote with comprehension upon the question of the candidacy for election of a Member of the House of Representatives, where records are indicated as voting for and against, and consequently it must be indicated as right and wrong?

Mr. ORTH. No; I believe that a vast majority of the English speaking and reading American citizen and others entitled to vote in this country are capable of understanding that. But I hold that their memory would not have carried them back to a sufficient extent to understand those references if they had been so made in the chart.

Mr. WALSH. Well, Mr. Orth, with reference to the McLemore resolution, do you think that with the language which you employed, "this resolution was to the effect that American citizens should forego their natural, legal, and constitutional right to travel on the high seas," that if on that No. 1 test vote you had said voting for and against that through lack of memory and through lack of comprehension or for any other reason, that the voters could not have voted discriminatingly upon the question of candidates who had voted upon that question?

Mr. ORTH. Oh, I think they might in most cases; not in all.

Mr. WALSH. Would not that have been the same with reference to the declaration of war?

Mr. ORTH. I did not find it necessary to dilate on that subject; it simply says "the declaration of war against Germany."

Mr. WALSH. Declaration of war against Germany, April 5, 1917. If that had been set forth as voting for and against, that would have been all that was necessary to aid the memory or to enlighten the voter as to the attitude of the candidate?

Mr. ORTH. Yes: I think it would.

Mr. WALSH. But it did not assist anybody by transposing the words "for" and "against" to "right" and "wrong," did it?

Mr. ORTH. Oh, I think it did; it laid considerable emphasis on it.

Mr. WALSH. As I understand it, Mr. Orth, this committee of limited size, which had to do with the congressional activities, prepared this chart after conferrng with members of the executive committee, took the published record of votes for and against certain measures, eliminated the words "for" and "against" and substituted the words "right" and "wrong," submitted them to the voters of the various districts of the country in which Members of Congress were seeking reelection, and in which other candidates for Congress were seeking to be elected, and expressed its opinion that by voting in a certain way a man voted right and in voting in a certain other way he voted wrong?

Mr. ORTH. Expressed its interpretation of the opinion of an overwhelming majority of the people of the United States.

Mr. WALSH. Did you take any referendum from the people upon any question involved in the eight tests?

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Mr. ORTH. As far as such a thing was practicable, we did.

Mr. WALSH. How many newspapers did you have in your league furnished you from press-clipping bureaus or associations?

Mr. ORTH. I can not testify to that. Mr. Harvey can do so.

Mr. WALSH. Do you see any of the clippings?

Mr. ORTH. I see large numbers of them.

Mr. WALSH. And you read the metropolitan press frequently—the editorial columns?

Mr. ORTH. I read the metropolitan press quite regularly, and I also read other publications whose business it was to give the consensus of opinion of the press of the entire country.

Mr. WALSH. Now, Mr. Orth, suppose you had found from press clippings, correspondence, or meetings with people that the opinion of the country was contrary to what you thought it was, would you have shifted the "right" and "wrong" of this chart to read "wrong" where it says "right" and "right" where it says "wrong"?

Mr. ORTH. No; our opinion of right and wrong, then, would never have existed in the first instance and the question of shifting would not have come up.

Mr. WALSH. You would have expressed an opinion upon it, though?

Mr. ORTH. We would have expressed the opinion of the people of the country as it appeared to us.

Mr. WALSH. As it appeared to you, and if it appeared to you that upon the declaration of war, for instance, that the people of the country were not in favor of that declaration, would you then have submitted No. 7 under "right" and "wrong"?

Mr. ORTH. No, sir.

Mr. WALSH. Would you have included it in your chart?

Mr. ORTH. We would probably have included it in our chart.

Mr. WALSH. How would you have indicated the votes, then?

Mr. ORTH. We would have indicated the votes as right and wrong.

Mr. WALSH. Just as they are indicated now?

Mr. ORTH. Just as they are indicated now.

Mr. WALSH. And contrary to what you found the opinion of the people to be?

Mr. ORTH. Contrary to what we found the opinion of the people to be in that instance.

Mr. WALSH. Assuming that they were opposed to it?

Mr. ORTH. Yes, sir.

Mr. WALSH. Then this chart did represent the opinions of the congressional committee, the executive committee, and, as far as they go, the members of the National Security League?

Mr. ORTH. It did not: that does not follow from your previous question.

Mr. WALSH. It does not follow?

Mr. ORTH. No, sir.

Mr. WALSH. It represents the opinion of the country as you folks had ascertained it?

Mr. ORTH. No, sir; you were asking me a highly hypothetical question regarding what might have been the case with respect to the

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declaration of war. The conclusion you indicate does not follow from the hypothetical question.

Mr. WALSH. Then I will ask you, Doesn't this chart in the first instance, Mr. Orth, represent the opinion of the National Security League, and that opinion is based upon what they believed to be the practically universal sentiment of the people of America?

Mr. ORTH. That is correct, sir.

Mr. WALSH. I think that is all for the present.

Mr. CARAWAY. Then if you had found the sentiment the other way would you have issued any chart?

Mr. ORTH. I do not know, Congressman. That would have been determined by the circumstances as they were found to exist.

Mr. CARAWAY. And you do not know, then, whether you would have changed your right and wrong or not, do you?

Mr. ORTH. No; I can not say. I might have been influenced by other members of the organization.

Mr. CARAWAY. You would just either——

Mr. ORTH. Pardon me, I did not quite finish my answer. I might have been influenced by other members of the organization or I might have been able to influence them.

Mr. CARAWAY. What would have been your individual attitude? Would you have wanted to change right and wrong if you had found sentiment to have been divided?

Mr. ORTH. I would probably stick to the method right and wrong.

Mr. CARAWAY. Then would you have said a man who voted for the McLemore resolution was right if you wanted to reflect the opinion of the people?

Mr. ORTH. You mean the people who voted against tabling it?

Mr. CARAWAY. Yes; would you have said that was right?

Mr. ORTH. If he voted against tabling?

Mr. CARAWAY. That is it; yes; if he voted against tabling it, would you then change your wrong and said that is right, if you had found the people were agreeing with him?

Mr. ORTH. Why, no; in that case I do not think I would.

Mr. CARAWAY. In that case you would have substituted your individual opinion for the will of the people?

Mr. ORTH. No; I do not say that. I do not know what I would have done. In case these highly hypothetical questions might have been faced, which is wholly unlikely, I do not know what it would have done; it would have required the best judgment that was possible to bring to the solution of the question.

Mr. CARAWAY. You do not know what you would have done?

Mr. ORTH. No; I do not know what I would have done.

Mr. CARAWAY. I may ask you some questions, Mr. Orth, that were asked you before; I was not here when your examination commenced. You are a native of New York?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. What was your business prior to your activities in connection with the National Security League?

Mr. ORTH. Hemp importer.

Mr. CARAWAY. You at one time appeared before a senatorial committee with reference to sisal from which hemp is made, did you not?

Mr. ORTH. Yes, sir.

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Mr. CARAWAY. At that time you stated you were engaged on the patriotic duty of trying to raise the price of binder twine to the people, did you not?

Mr. ORTH. I did not.

Mr. CARAWAY. Did you say that you had suggested that by a certain arrangement you could raise the price of the product?

Mr. ORTH. Are you speaking of binder twine?

Mr. CARAWAY. I am talking of sisal, from which binder twine is made.

Mr. ORTH. I do not think I did.

Mr. CARAWAY. You are the Mr. Charles D. Orth who did appear before a committee investigating that question, are you not?

Mr. ORTH. I am.

Mr. CARAWAY. In nineteen and—what year was it?

Mr. ORTH. I think it was 1916.

Mr. CARAWAY. I will ask you if in your statement at that time before the committee you made this statement:

When Dr. Lindorn came to New York to displace Mr. Zubaran, I urged upon him most strongly the extreme necessity of disposing of a large quantity of sisal for purposes other than rope and binder twine, and explained to him the reasons therefor; I told him that if this were done and the surplus thereby depleted, nothing would stand in the way of a natural advance in the price; that it might even go to 8 cents.

Did you say that?

Mr. ORTH. I said that.

Mr. CARAWAY. Was that a suggestion to raise the price of binder twine?

Mr. ORTH. It was, as you read, a suggestion to raise the price of sisal.

Mr. CARAWAY. Did you say in that that it would raise the price of binder twine?

Mr. ORTH. I do not think I did, as you read it, sir; I may be mistaken.

Mr. CARAWAY. Let me read it to you again:

When Dr. Lindorn came to New York to displace Mr. Zubaran, I urged upon him most strongly the extreme necessity of disposing of a large quantity of sisal for purposes other than rope and binder twine, and explained to him the reasons therefor; I told him that if this were done and the surplus thereby depleted, nothing would stand in the way of a natural advance in the price; that it might even go to 8 cents.

Mr. ORTH. That was in regard to the price of sisal.

Mr. CARAWAY. Yes.

Mr. ORTH. But this only—that is my answer.

Mr. CARAWAY. But you did not want it disposed of for the manufacture of rope or binder twine, because necessarily that would have increased the stock of binder twine, wouldn't it?

Mr. ORTH. No.

Mr. CARAWAY. It would not; that is your answer to that question?

Mr. ORTH. That is my answer to that question.

Mr. CARAWAY. What were you wanting to raise the price on?

Mr. ORTH. I was wanting to raise the price on sisal hemp.

Mr. CARAWAY. What would it affect; the price of the finished product?

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Mr. ORTH. It would have affected the price of the finished product.

Mr. CARAWAY. Beyond any doubt?

Mr. ORTH. It would have, I felt sure.

Mr. CARAWAY. And what is the finished product?

Mr. ORTH. Chiefly binder twine.

Mr. CARAWAY. And therefore your activities would have resulted in raising the price of binder twine?

Mr. ORTH. My activities would have resulted in raising the price of binder twine.

Mr. CARAWAY. And that was your intention?

Mr. ORTH. That was the intention of that particular incident of which you read.

Mr. CARAWAY. I thought you denied that you intended to raise the price of binder twine a moment ago is the reason I asked.

Mr. ORTH. I desire to make a statement in that connection. I desire to state in regard to the matter to which you have just referred that the object of my endeavoring to raise the price of sisal, as illustrated by the paragraph you read, was because the price of sisal in Yukatan had fallen below the cost of production and because that country was threatened with comparative ruin. I also desire to state that since that time, on account of the monopoly which controls sisal hemp, with offices in Yukatan and the United States, the price of sisal hemp has been advanced to 19 cents a pound by this monopoly and is now 16 cents a pound, and the farmer has not been protected from that.

Mr. CARAWAY. And you think by raising the price of the sisal you could have cheapened the price of the product, though?

Mr. ORTH. No, sir; I do not.

Mr. CARAWAY. It would have been still higher if your plan had prevailed?

Mr. ORTH. No, sir; it would have been very low as compared with the average price of the article for a great many years.

Mr. CARAWAY. Were you actually engaged in business prior to your connection with the Security League?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. Where were your offices at that time?

Mr. ORTH. No. 27 Cedar Street, New York; London, England; and Manila, P. I.

Mr. CARAWAY. And where would you spend your time prior to that time?

Mr. ORTH. At my various offices, chiefly in New York.

Mr. CARAWAY. You gave up your connection with your business and gave your entire time to the congressional chart?

Mr. ORTH. I did not.

Mr. CARAWAY. How much time did you devote to the Security League in the preparation of the literature and other things sent out by the congressional committee, of which you were chairman?

Mr. ORTH. Oh, between the hours of half past 8 in the morning and 1 or 2 o'clock in the afternoon; I devoted seven or eight hours a day to it.

Mr. CARAWAY. Had the war in any way impaired your business?

Mr. ORTH. No, sir; it had not.

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Mr. CARAWAY. Was it better or worse after 1914?

Mr. ORTH. So far as profits were concerned, it was rather better.

Mr. CARAWAY. The volume?

Mr. ORTH. In size, it was smaller; in value, it was greater.

Mr. CARAWAY. The lack of shipping somewhat affected the tonnage, didn't it; and the volume of your business in that way?

Mr. ORTH. No, sir; the chief article which we imported really never suffered from lack of tonnage?

Mr. CARAWAY. Not at all?

Mr. ORTH. No.

Mr. CARAWAY. Were there any other articles which you imported, sir?

Mr. ORTH. No; we imported only hemp.

Mr. CARAWAY. Is there anything that you export?

Mr. ORTH. We export practically nothing.

Mr. CARAWAY. Did I understand you to say that you were responsible for the language in what is known as test No. 1, the McLemore resolution.

Mr. ORTH. Yes, sir.

Mr. CARAWAY. This resolution was to the effect that American citizens should forego their natural, legal, and constitutional right to travel on the high seas; I believe you thought that if the resolution were to be adopted by Congress, that it had some legal effect, did you not?

Mr. ORTH. Why, that was the natural conclusion to be derived from my testimony here this morning.

Mr. CARAWAY. Well, you did; did you not?

Mr. ORTH. Yes, surely.

Mr. CARAWAY. You were undertaking to tell the people, then, that the McLemore resolution had a legal effect?

Mr. ORTH. Yes; and substantially I told them correct.

Mr. CARAWAY. Did you know that it had no legal force or effect at all, if it had been adopted?

Mr. ORTH. Why, yes and no. If it had been adopted it certainly would have had a very powerful effect upon the conclusions and sentiments of the people of the United States.

Mr. CARAWAY. Legal effect?

Mr. ORTH. Not legal.

Mr. CARAWAY. That is what I asked you.

Mr. ORTH. All right, the answer is no.

Mr. CARAWAY. You did not know that until to-day, did you, Mr. Orth?

Mr. ORTH. I did not actually know it until to-day; no.

Mr. CARAWAY. You were undertaking to instruct the people, the voters, as teacher of the people, and conveying to them in absolute misapprehension of the fact, weren't you?

Mr. ORTH. I am doing what every man does at times, sir. I took the pains to explain this morning that I was doing this work as an average American citizen, and I believe the average American citizen sometimes will make an error, a technical error of that kind.

Mr. CARAWAY. Do you think that any act of Congress could deprive any citizen of his constitutional rights?

Mr. ORTH. Why, it would depend upon the form the act of Congress took.

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Mr. CARAWAY. Any form?

Mr. ORTH. If Congress passed a bill and it was passed by the Senate and signed; yes.

Mr. CARAWAY. Could you impair the constitutional rights of the citizens?

Mr. ORTH. You could hinder it; you could not permanently impair it.

Mr. CARAWAY. Don't you know you could not?

Mr. ORTH. I do not think I quite get your question.

Mr. CARAWAY. Don't you know the Constitution is higher than the acts of Congress, and if a man has a constitutional right that Congress can not take it away from him?

Mr. ORTH. If Congress passed a bill and the President signed it, it would be very much like the man who was in jail and a woman who came along and said, "My good man, you should not be here," and he said, "I know it, madam, but I am here."

Mr. CARAWAY. I don't think that is the way Col. Lydecker put it in the record. I think he said, "You can't be here."

Mr. ORTH. Col. Lydecker is a lawyer; I am not.

Mr. CARAWAY. Well, do you adhere to your first statement, then, that Congress can take the constitutional rights of the individual?

Mr. ORTH. I do not think I made that statement per se.

Mr. CARAWAY. Well, will you say that it can or can not?

Mr. ORTH. No; I will not say that it can or can not.

Mr. CARAWAY. You do not know?

Mr. ORTH. It is a legal question which I can not answer.

Mr. CARAWAY. Well, why didn't you get some legal advice? You wanted to send out an accurate statement of what the McLemore resolution was, didn't you?

Mr. ORTH. Yes; wanted to, and substantially did.

Mr. CARAWAY. You think that is substantially the fact in test No. 1?

Mr. ORTH. I think the language of the description of test No. 1 is substantially what the McLemore resolution sought to do.

Mr. CARAWAY. Sought to take away the legal and constitutional rights?

Mr. ORTH. Sought to impair the constitutional and legal rights.

Mr. CARAWAY. Did you know that the McLemore resolution would have had no more legal effect than a patent-medicine advertisement if it had been passed by the House?

Mr. ORTH. I did not know that. I do not like to think of patent-medicine advertisements in connection with the acts of the House of Representatives.

Mr. CARAWAY. You know this does not, in effect, express the effect of the McLemore resolution, don't you?

Mr. ORTH. Yes.

Mr. CARAWAY. Well, I think so; I believe you say that.

Mr. ORTH. I beg your pardon; I withdraw that answer and say, to substitute, "Substantially it does."

Mr. CARAWAY. It substantially does. Well, while you were dealing with information that you were sending out to instruct the people, you thought that you substantially expressed the facts. I am referring now to bulletins sent out from the National Security League to

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be released on or after October 21. I am reading and directing my attention to a headline, the second headline, which is:

Hundred per cent Americanism. Charles D. Orth, chairman Security League's Congressional campaign committee, will accompany these documents with the formula to the voters.

Those are quotations, so I presume that you know what that matter was.

Mr. ORTH. Pardon me; I would just like to find it.

Mr. CARAWAY. Well, when you get it before you—I better change that question—I presume that the words in quotations are yours; is that correct?

Mr. ORTH. I think they are, sir.

Mr. CARAWAY. In the body of that you make this statement:

The most important evidence of interest comes from the voters themselves, no stronger proof of which could exist than that many of the candidates for Congress who are at present Members of the House of Representatives have attacked the league on various and repeated occasions. In some cases these attacks have been made by speeches actually delivered on the floor of the House, and in other cases what is technically known in the House of Representatives as "extension of remarks" or "leaves of print."

I presume that in plain words that means "leave to print."

In plain words, a Member has been given permission to have printed in the Record a "speech" which he never delivered, but of which he merely supplies a copy to the Public Printer, whereupon the necessary columns of pages of the Record are added, and the Congressman in question, under his franking privilege, has thousands or tens of thousands or hundreds of thousands of copies distributed without cost to him but at the taxpayers' expense. They thus have a great advantage over the new candidates, because the latter must include all printing and mailing disbursements in their sworn returns of campaign expenses, while the ins can use the whole machinery of the Government free and without acknowledging either the expense in their sworn returns or the fact in their campaign.

Now, is that true?

Mr. ORTH. I think it is substantially true, sir.

Mr. CARAWAY. Well, what part of it is not true?

Mr. ORTH. No part that I know of.

Mr. CARAWAY. Do you understand that Members of Congress can have printed, without expense, a speech or an extension of remarks?

Mr. ORTH. Well, I understand that they can have them printed practically without expense.

Mr. CARAWAY. What do you mean by "practically without expense"?

Mr. ORTH. I believe he is required to pay some nominal sum for some detail of it.

Mr. CARAWAY. Where did you get that information, Mr. Orth?

Mr. ORTH. Why, from reading and from——

Mr. CARAWAY. Well, would you mind citing me to any place you ever read that, so I can get that information?

Mr. ORTH. I will try to state it to you.

Mr. CARAWAY. Well, what is it?

Mr. ORTH. I can't do it now.

Mr. CARAWAY. Did you ever hear anybody say that was true?

Mr. ORTH. I have had several conversations——

Mr. CARAWAY. Well, would you mind citing to any place you ever read that, so I can get that information?

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Mr. ORTH. I will try to state it to you.

Mr. CARAWAY. Well, what is it?

Mr. ORTH. I can not do it now.

Mr. CARAWAY. Have you ever heard anybody say that was true?

Mr. ORTH. I had several conversations about various gentlemen whose experience——

Mr. CARAWAY (interposing). Will you give me the name of somebody who told you that was a fact?

Mr. ORTH. Why, I think that Mr. Henry L. West told me that that was a fact.

Mr. CARAWAY. Was Mr. West a Member of Congress?

Mr. ORTH. No; I do not think he was.

Mr. CARAWAY. Well, you had opportunity to ascertain whether that was true or not, didn't you?

Mr. ORTH. In the way I had indicated to you.

Mr. CARAWAY. You never made any further examination except to ask Mr. Henry L. West?

Mr. ORTH. I told you I had read of it somewhere.

Mr. CARAWAY. And you now say that Henry L. West told you that to be a fact?

Mr. ORTH. Yes; and that what I have stated is substantially true.

Mr. CARAWAY. Well, when you go and ascertain the fact will you correct your answer?

Mr. ORTH. I will be glad to.

Mr. CARAWAY. Who informed you that a candidate for Congress, with reference to mailing had to make an accounting for his mailing matter? Did Mr. Henry L. West tell you that?

Mr. ORTH. Is that included in this?

Mr. CARAWAY. Yes; that is in it.

Mr. ORTH. I would like to see it.

Mr. CARAWAY. Well, read the top of the second column.

Mr. ORTH (reading):

The new candidate, because the later must include all printing and mailing disbursements in their sworn returns of campaign expenses?

I do not see Members of Congress.

Mr. CARAWAY. Is there any difference between new candidates and the men who sit in the Congress?

Mr. ORTH. The new candidate may never have been in Congress.

Mr. CARAWAY. Is there any difference between a man running for office, who is not a Member of Congress, and the candidate who is a Member of Congress, with reference to what he has to show in his expense account?

Mr. ORTH. Why, I believe there is a difference to this effect: That where a Member of Congress during the election franks out there in his district that he is not required to show in his expense account any postage on that matter.

Mr. CARAWAY. Well, does the in candidate have to show his postage in his expense account?

Mr. ORTH. I believe that a candidate running on the partisan ticket must include in his expense returns of moneys expended.

Mr. CARAWAY. Where did you get that information? Did Mr. West give it to you?

Mr. ORTH. No: he did not.

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Mr. CARAWAY. Where did you get it?

Mr. CARAWAY. Where did you get that?

Mr. ORTH. I don't know; it is simply a general impression I had.

Mr. CARAWAY. When you were trying to give out information that was to be useful to the people in forming their opinion don't you think you might have taken a little trouble to find out what the truth was about it, Mr. Orth?

Mr. ORTH. I did take a great deal of trouble.

Mr. CARAWAY. Didn't you know that the truth of that statement there is absolutely the reverse of it?

Mr. ORTH. No; I did not know it.

Mr. CARAWAY. Well, do you have any desire what the facts are?

Mr. ORTH. I would be very glad to know them.

Mr. CARAWAY. Well, will you look it up and then put it in the record?

Mr. ORTH. I will be very glad to do it.

Mr. JOHNSON. Make a memorandum about that and do it. The committee will await that.

Mr. CARAWAY. And don't you think when you sent out your statement affecting an individual Member of Congress you might have taken trouble to find out what the facts were before you sent it out?

Mr. ORTH. I do not see that there is any attack on any individual Member of Congress.

Mr. CARAWAY. Do you know what that paper was that I was reading from?

Mr. ORTH. No; I do not. I thought you were talking about the paper which you just referred to.

Mr. CARAWAY. Well, I am. I was reading a part of a telegram from a letter that you sent out for the benefit of candidates who were running against sitting Members, was I not?

Mr. ORTH. You mentioned a telegram. I do not know which it was.

Mr. CARAWAY. Well, then, it was——

Mr. ORTH (interposing). You mislead me in that respect, or I would not have answered the question.

Mr. CARAWAY. Then, as a matter of fact, you sought—you intended this to be of service to men who were running against sitting Members where you could.

Mr. ORTH. No, sir; I did not intend it for anything except what I believed to be a statement of facts for general educational purposes.

Mr. CARAWAY. Why did you say, then, "The ins have a great advantage over the outs"?

Mr. ORTH. Because I then believed, and still believe, that they had in that respect.

Mr. CARAWAY. Do you know any Congressman that used the franking privilege to send out mail matter connected with his campaign for reelection? You made that statement.

Mr. ORTH. I can not give you any specific instance, but I believe this undoubtedly is done.

Mr. CARAWAY. Where did you get that information?

Mr. ORTH. It is general information, picked up in the same way every citizen picks up his information—from reading and conversation.

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Mr. CARAWAY. Do you know any publication you ever saw that contained that statement?

Mr. ORTH. Why, I do not know; I might be able to find such a one.

Mr. CARAWAY. You do not recall it now?

Mr. ORTH. No; I do not recall it now.

Mr. CARAWAY. Now, you do not recall now the individual who made any such statement as that to you, do you?

Mr. ORTH. No.

Mr. CARAWAY. Asking you again about this same matter, you say that it was not sent out in the aid of candidates who were opposing sitting Members, is that your statement again?

Mr. ORTH. That is my statement.

Mr. CARAWAY. The last paragraph, then, is this; I mean of that subhead:

The fact that the attacks upon the league have in every case been made by Members whose records according to the league's presentment runs from bad, or very bad, makes it imperative that we refer to these attacks and answer them.

Now, was that in aid of men running against them, or in aid of men running for reelection?

Mr. ORTH. It was in the aid of neither. It was simply to bring out facts and to protect the National Security League from unjust or improper attack, and it had a perfect right to be protected.

Mr. CARAWAY. And you sent out that statement as a fact to refute an unjust attack made upon the league?

Mr. ORTH. I sent what statement?

Mr. CARAWAY. This statement here: That the ins do not have to account for their postage and printing and that the outs do, and things of that kind.

Mr. ORTH. No; that paragraph had no reference to postage or franking, or anything of the kind.

Mr. CARAWAY. But I am talking about the one above.

Mr. ORTH. I am sorry, Congressman, I do not understand your question.

Mr. CARAWAY. You do not understand what you said when you said that the "ins thus have a great advantage over the new candidates"?

Mr. ORTH. I understand that perfectly.

Mr. CARAWAY. Yes; and you say now that this was not sent out in the aid of candidates who were running against sitting Members?

Mr. ORTH. I do.

Mr. CARAWAY. Yes; I did not hear all of your explanation of the use of the words "loyal" and "disloyal." In some of your literature that you sent out there was the statement that the league wanted to assist in the election of a loyal Congress.

Mr. ORTH. Yes, sir.

Mr. CARAWAY. Did you say that that did not have any reference to the man's attitude toward his Government?

Mr. ORTH. I explained that my contention of the use of the terms "loyalty" or "disloyalty" or with regard to the man's attitude with respect to the overwhelming influence of public opinion of the people of the country.

Mr. CARAWAY. Where did you get that definition of the words "loyal" and "disloyal"?

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Mr. ORTH. Why, that was a definition which I got from my general thought and knowledge of the word.

Mr. CARAWAY. Do you know any dictionary that agrees with you in that use of the words "loyal" and "disloyal" in the connection in which you used them?

Mr. ORTH. Yes; in Webster's new dictionary it, amongst——

Mr. CARAWAY (interposing). What does it say?

Mr. ORTH. It says:

False where allegiance is due; a disloyal friend.

It gives as some of the synonyms "inconstant," "faithless," "untrue."

Mr. CARAWAY. It is talking with reference to the man's citizenship. What does "disloyal" mean?

Mr. ORTH. I will read the entire definition. I copied it from the dictionary.

Mr. CARAWAY. Yes.

Mr. ORTH (reading):

Not loyal, not true to a sovereign or a lawful superior——

Mr. CARAWAY (interposing). Yes, yes.

Mr. ORTH (continuing):

Or to the Government under which one lives; false where allegiance is due; faithless as a subject; disloyal to the king; a disloyal friend. Synonyms: Disobedient, faithless, untrue, treacherous, perfidious, dishonest, inconstant.

Mr. CARAWAY. Which of those definitions did you have in your use of the word "disloyal"?

Mr. ORTH. Why, as nearly as I can answer such a general question in a specific manner, I should say: "Faithless where allegiance is due."

Mr. CARAWAY. And that is false to country; therefore he was disloyal.

Mr. ORTH. I did not say, "To his country." I said, "False where allegiance is due."

Mr. CARAWAY. They stand together, do they not?

Mr. ORTH. I don't know. I prefer to answer in my own way and not have you put the word in my mouth.

Mr. CARAWAY. Wait a minute; I will ask you a question and think you can answer it without a lecture. If you had a man working for you and were to discharge him and put an advertisement in the paper for a person to do work—for a man who would not steal—would you think that was any reflection on the man who had been discharged? Would that be in effect charging him with theft?

Mr. ORTH. I do not know.

Mr. CARAWAY. You do not think that follows, do you?

Mr. ORTH. Unless a man's name is given I do not see it would make any difference one way or the other.

Mr. CARAWAY. But suppose everybody knows he had been working for you and had been discharged, and you put an advertisement in the paper for a man to take this man's place, and advertised for a man who would not steal, would you think that would be in effect to charge him with stealing—the one who had been discharged?

Mr. ORTH. Not necessarily; no.

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Mr. CARAWAY. He would not; he would not be liable under the law for libel, if it were in effect not true that he was stealing, would he?

Mr. ORTH. I do not think so.

Mr. CARAWAY. No?

Mr. ORTH. I am not a lawyer.

Mr. CARAWAY. I do not recall your answer. I can ask you again when you were speaking of the selective-draft act you called it a conscription act. Were you in favor of the amendment that would prevent Col. Roosevelt to take a division to France as a volunteer division?

Mr. ORTH. I had no opinion one way or the other on the subject.

Mr. CARAWAY. Well, was it just as enlightening when a man voted for it as it was when he voted on the Kahn amendment, whether he stood for a volunteer or a wholly draft Army?

Mr. ORTH. Oh, I do not think so. It was wholly unusual——

Mr. CARAWAY (interposing). Which was wholly unusual?

Mr. ORTH. The question of the Roosevelt division.

Mr. CARAWAY. That was to be a volunteer division, was it not?

Mr. ORTH. I believe it was.

Mr. CARAWAY. And you think that does not show whether a man is in favor of a volunteer or a drafted Army—whether he votes for or against that division?

Mr. ORTH. No; I do not.

Mr. CARAWAY. It did absolutely throw light upon his mental attitude?

Mr. ORTH. Practically none.

Mr. CARAWAY. Yes: did you know that there were certain branches of the Army in which even under the Kahn amendment—I will not say Army—but certain branches of the Military Establishment in which the Kahn amendment allowed volunteers to be received into the service?

Mr. ORTH. Why, no: I did not know it. It may have been the case.

Mr. CARAWAY. And when you said it was a wholly drafted Military Establishment you did not have these other exceptions in mind?

Mr. ORTH. I don't know whether I said under a wholly drafted Military Establishment or not.

Mr. CARAWAY. Didn't you say that that was fundamental whether you stood for a draft Army or one that was partly draft and partly volunteer?

Mr. ORTH. I don't remember using that word.

Mr. CARAWAY. Well, will you say that is true, now?

Mr. ORTH. I will not. I don't quite understand what it implies.

Mr. CARAWAY. Well, it implies this: Do you think that a man was wholly lacking in vision who voted for the raising of an army by voting for both the volunteer and the selective-draft method?

Mr. ORTH. I thought he was lacking in vision on that topic, unquestionably.

Mr. CARAWAY. Then, if Kahn failed to include all branches of the military service in that draft matter he was lacking in vision also, was he not?

Mr. ORTH. No; I do not think so. I do not think it would be fair to say that. It is a very difficult question to answer.

Mr. CARAWAY. What is difficult?

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Mr. ORTH. I mean it is very hard for me to use the correct language to express the views I have in mind.

Mr. CARAWAY. I believe you said that the league took absolutely no interest in the election of candidates—that it merely conducted an educational propaganda.

Mr. ORTH. I testified substantially to that effect.

Mr. CARAWAY. Well, is that substantially true?

Mr. ORTH. That is substantially true.

Mr. CARAWAY. You made no effort to either defeat or to elect Members in certain districts?

Mr. ORTH. Not except by the presentations with which you are now familiar, and which we impartially and impersonally circulated.

Mr. CARAWAY. Did you call attention specifically in letters or telegrams to certain sitting Members, to their records, and thereby indicate on which side the league stood with reference to the election or defeat of that candidate?

Mr. ORTH. Why, in a few cases, where the league had been—where the league's correctness of statement or motive, or similar things where it had been attacked—we did have correspondence both by letter and by telegram, no doubt in some cases, with individual candidates, but in most of that correspondence I believe that we avoided a direct statement as to that individual's election; we almost invariably qualified what we said by saying that the individual must decide for himself.

Mr. CARAWAY. Did you, in reference to Miss Jeanette Rankin's race for the Senate, did you send out letters or telegrams to people in her district, in effect asking them to repudiate her?

Mr. ORTH. Congressman, I can not answer that without looking up the file. You must keep in mind that I have every wish and desire to answer you frankly and honestly on these things, but there are 435 congressional districts and I can not remember the votes in every one of them.

Mr. CARAWAY. That qualification goes, then, with reference to all of your testimony—that you may be mistaken about it?

Mr. ORTH. No, sir; I did not imply any such qualification.

Mr. CARAWAY. What does it intend to imply?

Mr. ORTH. May I ask the stenographer to read my answer?

Mr. CARAWAY. No: answer it in another form.

Mr. ORTH. I will try to give it in the exact form I gave it before, which is that in the case of Miss Jeannette Rankin I did not distinctly remember just what occurred, that there were 435 districts and I can not remember distinctly as respects all of them.

Mr. CARAWAY. Yes. Well, were you to any great extent engaged in the question of a campaign if you did write one letter? Did you do that with reference to many people?

Mr. ORTH. I did not.

Mr. CARAWAY. I have here what purports to be a letter that I shall show to you in a minute under date of September 24, written upon the letterhead of the National Security League and headed "Congressional committee, Charles G. Orth, chairman." It is addressed to the editor:

SIR: Mr. David B. Gates, national chairman of the National Party, announced from the New York office, according to the newspapers of to-day, that

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Miss Jeannette M. Rankin is a candidate of that organization of the sen... from your State. In this connection we beg to hand you a statement wh... was made by this committee in August last. We can not believe that the a... tude of Miss Rankin as shown by the inclosed chart represents the patriotis... and sentiment of the people of the State of Montana.

Very truly, yours,

CHARLES D. ORTH,
Chairman Congressional Committee.

Did you do that?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. Was that in answer to any attack that was being made on your league?

Mr. ORTH. I do not recall what it was, Congressman. I would be very glad to look it up and let you know.

Mr. CARAWAY. I thought you said you only did that where attacks had been made upon your league, and you were trying to set it right?

Mr. ORTH. I am rather inclined to think that that was done in this connection.

Mr. CARAWAY. You did not say so in your letter, did you? You simply said you had noticed that that party had indorsed Miss Rankin as a candidate of that party, and that you could not believe it was the sentiment of the people of the State of Montana. Now, if that was the sentiment of the people, that was a direct statement against her, was it not?

Mr. ORTH. It might have been so. It distinctly refers the matter to the voters of the district, and is in harmony with our general educational campaign.

Mr. CARAWAY. Well, what was it that made you undertake to advise the people of Montana at all? There is nothing in your letter to indicate that they had referred this matter to you for your judgment is there?

Mr. ORTH. Why, we attempted to advise the people of Montana in exactly the same way that we attempted to advise the people in any other parts of the country by an educational propaganda with respect to records.

Mr. CARAWAY. What is there in your letter that was educational? It was merely the expression of an opinion, was it not, that the people in Montana were too patriotic to elect her?

Mr. ORTH. It was calling attention to the contents of our educational literature.

Mr. CARAWAY. Did you send a telegram—I will have to read the first part of it to identify it:

NEW YORK, N. Y., *October 9, 1918.*

JOSEPH C. BREITENSTEIN—

Do you remember him?

Mr. ORTH. I do.

Mr. CARAWAY. That good American name sounds familiar, I presume.

Mr. ORTH. United States district attorney.

Mr. CARAWAY. Yes, sir. He was a candidate for Congress against a sitting Member, was he not?

Mr. ORTH. I believe he was.

Mr. CARAWAY. Against Mr. McCulloch?

Mr. ORTH. Yes.

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Mr. CARAWAY. Did you send him a telegram attacking Mr. McCulloch?

Mr. ORTH. Mr. McCullop attacked the National Security League.

Mr. CARAWAY. It is not "McCullop"; it is "McCulloch."

Mr. ORTH. Mr. McCulloch—I don't know how you pronounce it—attacked the Security League.

Mr. CARAWAY. I want to read this telegram into the record. If you have any objections to any part of it we will stop there:

In the Congressional Record of October 2 there appeared an attack on the National Security League by your opposing candidate for Congress, in which he endeavors to explain his record as presented by our chart showing the votes of every Congressman on important preparedness and war measures. Mr. McCulloch takes refuge behind the statement that he did not vote against a single war measure or preparedness bill which was actually passed by Congress. This does not alter nor mitigate the fact that in March, 1916, he voted in favor of the principle of denying to American citizens their legal and constitutional right to travel on the high seas.

That takes away the constitutional right of the American citizen.

Mr. ORTH. I think it does, Congressman.

Mr. CARAWAY (reading):

That in March, April, and June, 1916, he cast four votes against the principle of preparedness; that in March, 1917, he voted to deprive American ships of their legal and constitutional rights; and that in April he voted against the principle of raising an army by the only means by which an adequate one could be obtained, namely, selective conscription.

That refers to your chart, does it?

Mr. ORTH. Yes, sir.

Mr. CARAWAY (reading):

The selection of their Congressman necessarily must be left to the wisdom and conscience of your people, but we desire to point out to the members of the National Security League, and as well to the public at large, the records of the men who are asking their votes, in the hope and belief that they will insist upon not returning to Congress any man whose foresight and resolution were unequal to the test of high statesmanship which is demanded by the crisis through which we are passing, and whose Americanism was not of the red-blooded sort that the overwhelming sentiment of our people expect and demand.

Was that an appeal to the members of the Security League to vote against Mr. McColloch?

Mr. ORTH. That was just what it says in referring to the wisdom and conscience of the people of the district.

Mr. CARAWAY. Oh, here is what you said about that:

The selection of their Congressman necessarily must be left to the wisdom and conscience of your people.

Mr. ORTH. That is the crux of the whole matter, sir.

Mr. CARAWAY. That is because you can not take that away from them, can you?

Mr. ORTH. I beg your pardon.

Mr. CARAWAY. You can not take that right from them, can you?

Mr. ORTH. No; we recognized that right and will not attempt to interfere with it in any way.

Mr. CARAWAY. Let us see. Just let me finish that sentence:

But we desire to point out to the members of the National Security League, and as well to the public at large, the records of the men who are asking their votes, in the hope and belief that they will insist upon not returning to Congress certain men.

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Now, is that against those men, and therefore engaging in politics contests, or not?

Mr. ORTH. It is not engaging in political contests.

Mr. JOHNSON. What would be? Mr. Orth, are you willing to state under oath that that is not engaging in political matters?

Mr. ORTH. I am willing to state under oath that to the best of my knowledge and belief that is not engaging in political matters. I do not know what the technical details are. I simply know that there was no intent to engage in anything political.

Mr. CARAWAY. What would be engaging in political contests, according to your knowledge?

Mr. ORTH. The engaging in political contests would be the championing of the election of some one particular man, championing him only, ignoring anything whatsoever that might be against him and construing everything whatsoever in his favor, and doing what is usually done in a partisan political campaign.

Mr. CARAWAY. Then the chairman of the Democratic national committee, who devotes his attention to the election of 435 men, simply because he does not devote his time exclusively to the election of one man, is not engaging in politics, according to your definition?

Mr. ORTH. I understand that follows——

Mr. CARAWAY. What would follow from your answer?

Mr. ORTH. Why, it would follow that he was engaged in 435 partisan political contests.

Mr. CARAWAY. And you were engaged in just eactly 435 partisan political contests, were you not?

Mr. ORTH. I was not.

Mr. CARAWAY. Didn't you write letters into that many districts?

Mr. ORTH. I did not.

Mr. CARAWAY. How many did you write letters into?

Mr. ORTH. I could not tell you without looking up the records.

Mr. CARAWAY. Well, you had 145, I believe, that you classed as close, did you not?

Mr. ORTH. There were 165 districts in the United States which the statistics showed were close.

Mr. CARAWAY. Well, did you engage in any contests in that many districts?

Mr. ORTH. I did not

Mr. CARAWAY. Did you in 47?

Mr. ORTH. I did not engage in contests in any district.

Mr. CARAWAY. Well, did you send literature and statements into that many districts?

Mr. ORTH. I did not.

Mr. CARAWAY. In 47?

Mr. ORTH. In 94.

Mr. CARAWAY. In 94. Then would that be enough to make your activities political?

Mr. ORTH. No, sir; it could have been. If it had been 1,094 it could not have been, either.

Mr. CARAWAY. Let's see. In this telegram—I did not read it all, because I wanted to see what you had to say, whether you were against Mr. McCulloch or not, and see if this could be so. You state:

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Mr. McCulloch's criticisms were not actually delivered in Congress but were printed in the Record, in order that he might avail himself of his free franking privilege to circulate the document in the sixteenth district of Ohio.

Now, therefore, this had directly to deal with Mr. McCulloch, didn't it? You know his name?

Mr. ORTH. In so far as this particular reference it is, but not in any general sense.

Mr. CARAWAY. I want to read into the record, first, showing that in your "Released for immediate publication, from the National Security League, 19 West Forty-fourth Street, New York City, E. L. Harvey, publicity director," the one we spoke about this morning:

Miss Rankin is opposed in Senate race by National Security League.

Did you ever see that bulletin?

Mr. ORTH. I did.

Mr. CARAWAY. Did you see it before it was sent out?

Mr. ORTH. I did.

Mr. CARAWAY. You knew what sort of a headline it carried, did you?

Mr. ORTH. I can not testify to that fact one way or the other.

Mr. CARAWAY. Just holding it up there.

Mr. ORTH. I have a copy in my hand.

Mr. CARAWAY. There in very large black letters the very first statement in it is:

Miss Rankin is opposed in Senate race by National Security League.

Do you think it possible you could have seen this bulletin and not seen that headline?

Mr. ORTH. Why, yes; under circumstances which I will describe. These sheets are written by Mr. Harvey. All of these sheets are written by him. Sometimes after writing them he would submit them to me, a manuscript without any headlines; sometimes he would not submit them to me until they had been put in print like this. Now, I am utterly unable to say whether this one was submitted to me in manuscript or in print as it now is. I do not read every headline.

Mr. CARAWAY. I did not ask you that. Will you repudiate the headlines and say it does not fairly represent what follows in the text?

Mr. ORTH. Why, I will not repudiate the headlines as respects the National Security League. I do not think it was intended to imply——

Mr. CARAWAY (interposing). But there is nothing there to be implied. There is just simply a bald statement there, isn't there:

Miss Rankin is opposed in Senate race by National Security League?

There is nothing implied in that statement, is there?

Mr. ORTH. I think that everything that follows in the article is implied.

Mr. CARAWAY. Then, that is just a different statement of facts. Now, down in the article you have this—I am beginning now with "basic principles." That purports to be a statement by Mr. Charles D. Orth, chairman of the congressional committee of the security league. You state that you wrote that, did you not?

Mr. ORTH. Yes; I wrote that.

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Mr. CARAWAY. I want to read into the record:

BASIC PRINCIPLE.

Our chart, which is absolutely correct, shows that Miss Rankin voted wrong on the declaration of war and on the Kahn amendment to the conscription act, which involved the vital and basic principle whereby an Army could be raised promptly and effectively. We believe that the overwhelming verdict of the people of the United States is that those who voted against the war or against any principle or measure for its effective and rapid prosecution were wrong and failed to demonstrate the possession of that foresight and resolution which in times of national emergency and danger are necessary for the security of the country and of our national honor.

Now, that was a direct statement charging Miss Rankin with either lack of foresight or resolution to properly represent the people, was it not?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. That was a strictly nonpartisan statement, wasn't it? Not engaging in the contest, was it?

Mr. ORTH. It was in intent and, I fully believe, in performance.

Mr. CARAWAY. That it was or was not engaging in a political contest?

Mr. ORTH. That it was not engaging in a political contest.

Mr. CARAWAY. Let me ask you again if Miss Rankin had not been a candidate would you have sent out that statement?

Mr. ORTH. If Miss Rankin had not been a candidate, I clearly could not have sent out a statement mentioning Miss Rankin.

Mr. CARAWAY. Then, if you did send out a statement mentioning Miss Rankin it was to either help Miss Rankin or hurt her, wasn't it?

Mr. ORTH. No, sir; it was to help the people of the United States.

Mr. CARAWAY (interposing). It was to either assist her to be reelected or to prevent her reelection, wasn't it, Mr. Orth?

Mr. ORTH. It was to put the facts before the people of the State of Montana.

Mr. CARAWAY. Do you want to say you had no desire of trying to influence the result of the election in Montana?

Mr. ORTH. I had no desire beyond what I have stated.

Mr. CARAWAY. Well, I am asking you that question now. Would you say under your oath you had no desire to try to influence the election in Montana by sending out that statement?

Mr. ORTH. Personally I would have been glad to have seen Miss Rankin defeated.

Mr. CARAWAY. Were you acting personally or for the league when you sent that out?

Mr. ORTH. For the National Security League.

Mr. CARAWAY. Was it the attempt, then, of the league to express a desire for her election or defeat in that?

Mr. ORTH. It was not, so far as I know.

Mr. CARAWAY. Are you willing to say that that does not convey any impression of whether she should or should not be defeated, according to the viewpoint of the National Security League?

Mr. ORTH. We sent it out for information to the people of the States.

Mr. CARAWAY. The inference is that she should have been defeated, isn't it?

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Mr. ORTH. Yes.
Mr. CARAWAY. And yet that is not engaging in politics, is it?
Mr. ORTH. No, sir; the purpose for which that was sent out was ot for engaging in politics.
Mr. CARAWAY (reading):

Mr. Orth also sent yesterday to the editor of the Rockford (Ill.) Star the llowing telegram in response to a message from him informing the Security ague's committee that Congressman Fuller, of the twelfth Illinois district, d declared the league's chart misrepresented his vote on the McLemore reso- tion—

And now the infamous measure is in——
Mr. ORTH (interposing). I did not write that.
Mr. CARAWAY. Did you write what followed that?
Mr. ORTH. Yes.
Mr. CARAWAY (reading):

If the McLemore resolution had become a law, it would have deprived Ameri- in citizens of their natural, legal, and constitutional rights to travel on the igh seas.

You know now the McLemore resolution would not have become a aw, didn't you?
Mr. ORTH. Yes.
Mr. CARAWAY. And could not have become a law?
Mr. ORTH. Yes.
Mr. CARAWAY. Now, there is something blotted out in mine, but it tarts:

Vote upon it in the House of Representatives was upon the motion to table t, which was a motion to kill it. Congressman Fuller voted against killing it. To attempt to explain this damning fact by the technicality that he did not ote for it is dodging the issue. His claim that he then had the ulterior pur- ose of having it amended by eliminating its objectionable features shows that ie was willing to take the chance of passing an infamous measure in order to et the opportunity of afterwards doctoring it into healthy and decent Ameri- anism.

Now, did you use that language?
Mr. ORTH. I did.
Mr. CARAWAY. I thought you said the words "infamous measure" were not your language.
Mr. ORTH. I believe that headline was not.
Mr. CARAWAY. I asked you about the language in the headline.
Mr. ORTH. I really believed at the time I did not know the words "infamous measure" were there. I fully acknowledge it.
Mr. CARAWAY (reading): "To attempt to explain this damning fact." What do you mean by that, Mr. Orth—damning fact?
Mr. ORTH. Why, the damning fact of having voted against the rights of American citizens.
Mr. CARAWAY. Well, inasmuch as you now know that the rights of American citizens were not involved——
Mr. ORTH (interposing). Technically only.
Mr. CARAWAY. Do you know how came the McLemore resolution on the calendar of the House at all?
Mr. ORTH. I do not recall.
Mr. CARAWAY. Do you know that it came there because the President of the United States asked Congress to vote upon that question?
Mr. ORTH. Yes; I remember that.

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Mr. CARAWAY. You do remember it?

Now, just a little below that, this language:

The Security League's congressional chart has attracted wide attention throughout the country. It will be followed up in a few days by a similar analysis of the preparedness and war votes in the Senate. Following are some of the favorable comments and indorsements of the Security League's congressional campaign received at headquarters in this city during the past two days.

Now, did you receive it or have anything to do with the insertion of these favorable opinions such as "Glad to cooperate," and so on?

Mr. ORTH. Yes; they all most surely are letters which came to my attention; all of them.

Mr. CARAWAY. What do they mean by cooperating?

Mr. ORTH. You will have to ask them, sir; I don't know exactly.

Mr. CARAWAY. What did you understand when William H. Greenleaf said, "I shall be glad to help along the policy laid down by the National Security League"?

Mr. ORTH. I think unquestionably those letters were sent in response to various circulars which we sent out to members of the National Security League and many others.

Mr. CARAWAY. Many from politicians?

Mr. ORTH. I don't know whether they are politicians or not.

Mr. CARAWAY. I see some of them come from Members of Congress who said they would be glad to cooperate with you, and I presume there were others who were trying to defeat their opponents. You did not think they were trying to cooperate with you when you were trying to help their opponents, did you?

Mr. ORTH. No selection was made. We took the entire list and sent them out without any discrimination or favoritism whatever.

Mr. CARAWAY. You sent out what you call a digest analyzing what the chart shows, did you not?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. I believe you showed where they came from, by sections and States, and so on?

Mr. ORTH. I don't think by sections. Only by States.

Mr. CARAWAY. I think you said you showed from what section they came.

Mr. ORTH. No; I did not.

Mr. CARAWAY. You took no trouble to notice that those 47 whom you designate as honor men had—at least a very large per cent of them—had a record on the taxing issue.

Mr. ORTH. I took no notice of any kind with respect to the roll-of-honor men except to go over the chart and in an automatic and mechanical way mark off the men who had not voted bad on any of those eight questions.

Mr. CARAWAY. And wrote that question?

Mr. ORTH. You asked me about their designations.

Mr. CARAWAY. Yes. Well, then, your answer was that you took no notice of them except to go over them and mechanically mark them off. Forty-seven men constitute practically 10 per cent of the House membership.

Mr. ORTH. Yes, sir.

Mr. CARAWAY. Do you know that 47 constituted 40 per cent of all the votes against levying the expense of the war on the people who had something with which to pay?

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Mr. ORTH. Why, I assume that is so; but that is the first knowlge I have had of it.

Mr. CARAWAY. You were not interested in making your tests so air that you took in those who opposed the income tax and things f that kind.

Mr. ORTH. I have had no thought on the subject.

Mr. CARAWAY. No knowledge of that. No interest in that, of ourse. Mr. Menken testified the other day that you had a member r some man connected with your league with whom you advised in ach of the 48 States. That is substantially what he said. Do you now who those men are in the various States?

Mr. ORTH. I do not.

Mr. CARAWAY. Have no knowledge of that question at all?

Mr. ORTH. None whatever.

Mr. CARAWAY. Do you know anything about the activities of the league except what transpires in your committee?

Mr. ORTH. Why, I know a little about them, such knowledge having been gained by my attendance at the meetings of the executive committee, particularly since I was a member.

Mr. CARAWAY. Has anybody a right to fix the policy of the league except the executive committee?

Mr. ORTH. Why, any important policy it is well understood should not be fixed or acted upon without reference to the president.

Mr. CARAWAY. When did you become a member of the executive committee?

Mr. ORTH. In October last.

Mr. CARAWAY. Do you know what date?

Mr. ORTH. No; I can find it in a minute.

Mr. CARAWAY. Toward the first or last of the month?

Mr. ORTH. I will tell you in a minute, Congressman.

Mr. CARAWAY. We will put that in when you get it. I want to read you what purports to be a letter written by yourself. It is addressed to Mr. Andrew Baumart, jr.

DEAR SIR: We are in receipt of your telegram advising us that Mr. Hayden is endeavoring to discredit the National Security League through a letter which he is publishing in your newspapers.

We have no doubt that the wisdom and conscience of the good people of Arizona are fully equal to a correct interpretation of the facts. An adage sometimes humorously quoted by lawyers is to the effect "When you have a weak case, abuse the other side." We do not believe that any man who voted against the preparedness principles enumerated in our chart and who also voted against the principle of selective conscription, without which the United States would indeed have had a "contemptible little army" compared to what it has, can expect a constituency made up of American Americans to regard his candidacy with favor.

Now, was that letter for or against Mr. Hayden, who was a candidate for reelection in Arizona as a Member of Congress?

Mr. ORTH. It depends entirely upon the point of view.

Mr. CARAWAY. Well, what was the impression that the writer expected to create? And the writer is——

Mr. ORTH (interposing). I should say rather against him.

Mr. CARAWAY (continuing). And the writer is Charles D. Orth, and he puts beneath it "Chairman, congressional committee." That means chairman of the congressional committee of the National Security League?

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Mr. ORTH. Yes, sir. I call attention to the fact that the letter points out the fact that any questions in connecion with the subject must be left to the wisdom and conscience of the people, and that Mr. Hayden is held up to a general standard and not a specific standard.

Mr. CARAWAY. What is the use to put that in, because you knew the people in Arizona had to cast the vote, and what was the sense in putting that in a letter?

Mr. ORTH. Our efforts were purely along educational lines.

Mr. CARAWAY. What sense was there in putting in a statement that the people of Arizona would have to settle that question when everybody knows they were the only ones who had a vote on it? What was the use of putting it in there?

Mr. ORTH. Simply to make a statement of fact.

Mr. CARAWAY. Wasn't that a senseless phrase to use? Of course you didn't intend to do anything about it.

Mr. ORTH. It was written on perfectly honest conclusions.

Mr. CARAWAY. You kept on referring to it. What sense does have, what connection does it have, this is an educational letter?

Mr. ORTH. I think to a great many people it has a great deal sense.

Mr. CARAWAY. You think people in Arizona didn't know they h the exclusive right to cast the vote in Arizona?

Mr. ORTH. No; I think it was perfectly proper for the Natio Security League to make known the fact that it could only condu an educational campaign, and I think it made that impression.

Mr. CARAWAY. Didn't everybody know that without you telli them?

Mr. ORTH. I don't know.

Mr. CARAWAY. You are a school man, you are a college man. presume.

Mr. ORTH. No, sir; I am not.

Mr. CARAWAY. You went to school.

Mr. ORTH. Yes, sir.

Mr. CARAWAY. Well, you would know that it is perfectly futile a useless for anybody to repeat in a process of education a fact that obvious and that a child knows, isn't it?

Mr. ORTH. No; I think it is very, very necessary in most cases.

Mr. CARAWAY. If you were going to tell a child that a cow is a co you would say, "That is just a cow. I had nothing to do with ma ing it, but it is just a cow." You think that would be the way to i struct a child on that line?

Mr. ORTH. I never had any thought on that subject.

Mr. CARAWAY. You seemed to have had as much thought on th as you did in this. There is another paragraph to this letter. didn't read it all; I wanted to ask you about it when you got throu enlightening us on this other matter:

Please don't misinterpret this letter as an aid to the Republican Party Arizona or anywhere else. We are writing similar letters daily about Rep lican Members in other part of the country.

Now, were you writing similar letters daily about other Membe of Congress?

Mr. ORTH. Substantially we were writing letters. We have alrea quoted that.

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Mr. CARAWAY. Substantially, that is a word you use so often. What does it mean with reference to whether you did or did not do a thing? Were you daily writing letters about other candidates?

Mr. ORTH. I answer the question substantially. It is difficult to answer specifically questions which call for a generalization and I can not do it under my oath.

Mr. CARAWAY. Don't do it any otherwise. I am asking you that because a while ago you professed to have written so very few of them and here is a statement that you are daily engaged in this kind of activity. Now, which is the truth? Were you just occasionally doing it or were you almost daily writing similar letters?

Mr. ORTH. I will be very glad to find out and make an exact statement. I can not right now make an exact statement in answer to that question.

Mr. CARAWAY. You know whether this was substantially true when you wrote it or not; didn't you?

Mr. ORTH. It was substantially true.

Mr. CARAWAY. Then it is substantially true that daily you were writing similar letters, wasn't it?

Mr. ORTH. Yes.

Mr. CARAWAY. Well, and yet you were not engaged in any political activity!

Mr. ORTH. No, sir; we were not in the sense in which you construe it. It isn't in the sense in which I construe it. It is not a sense. I construe it is a fact. We were not engaged in partisan political activity.

Mr. CARAWAY. I didn't say "partisan," I said "political." There is no use to quibble about partisan.

Mr. ORTH. We were engaged in an educational political activity.

Mr. CARAWAY. Tell me what educational information is conveyed in that letter. If that is your purport—to be educational—what statement is there in that which is educational or informative?

Mr. ORTH. Why, taken in conjunction with the whole correspondence of which this is merely a link in the chain, it would have a distinct educational quality.

Mr. CARAWAY. What part of it is educational?

Mr. ORTH. I will have to have the whole correspondence.

Mr. CARAWAY. I am talking about this letter. This is one lesson in this educational institution that you were running. Now, what is there in it from beginning to end that is educational or affirmative?

Mr. ORTH. Could I see it, please?

Mr. CARAWAY. Yes, sir [handing paper to Mr. Orth].

Mr. ORTH. I believe the statement: "We don't believe that any man who voted against the preparedness principles enumerated in our chart and who also voted against the principle of selective conscription, without which the United States would indeed have had a 'contemptible little army' compared to what it has, can expect a constituency made up of American Americans to regard his candidacy with favor." I think that is it.

Mr. CARAWAY. That is merely an expression of opinion. That doesn't set forth any fact.

Mr. ORTH. A teacher always expresses opinions, I think.

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Mr. CARAWAY. I thought educational was not to convey your opinion, but to set forth facts so people should be able to judge for themselves.

Mr. ORTH. I can not but put opinions of fact personally.

Mr. CARAWAY. You were trying to substitute the opinion of the Security League for the wisdom, vision, and judgment of the people of Arizona in the selection of a Member of Congress, weren't you?

Mr. ORTH. We were trying to substitute the judgment of the National Security League as it interpreted the judgment of the people of the United States.

Mr. CARAWAY. The judgment of the people of Arizona. Those were the people you were appealing to, weren't you?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. That is a true statement, then, you were trying to substitute the opinion of the National Security League for the wisdom, the judgment, of the people of Arizona in the selection of a Member of Congress?

Mr. ORTH. No, sir; I didn't say that.

Mr. CARAWAY. Didn't you say that? What did you say?

Mr. ORTH. I said we were trying to express the opinion of the people of the United States.

Mr. CARAWAY. Didn't you say a minute ago that you were trying to substitute the opinion of the National Security League for the wisdom and vision of the people of Arizona?

Mr. ORTH. That we were trying to substitute the opinion of the National Security League? May I have the answer read to me?

(The reporter read as follows:)

Mr. ORTH. We were trying to substitute the judgment of the National Security League as it interpreted the judgment of the people of the United States.

Mr. CARAWAY. Did you say that?

Mr. ORTH. I did not say it that way, sir; I think I was misunderstood.

Mr. CARAWAY. Then the stenographer is wrong.

Mr. WALSH. May I ask a question? In your reference to some letters that you were sending out in other districts, what did you have in mind at the time you wrote the letters you were sending to the district of Miss Rankin in Montana, among others?

Mr. ORTH. Why, I can't say.

Mr. WALSH. You simply know the letters you sent to Miss Rankin's district were similar in tone to that?

Mr. ORTH. To some extent they were similar in tone.

Mr. WALSH. That is all. Thank you, Mr. Caraway.

Mr. CARAWAY. Now you want to repudiate that answer that the stenographer has there and say you didn't say that, Mr. Orth?

Mr. ORTH. May I ask the stenographer to read the answer again?

(The reporter read as follows:)

Mr. ORTH. We were trying to substitute the judgment of the National Security League as it interpreted the judgment of the people of the United States.

Mr. ORTH. Yes; that is correct. No; I do not wish to repudiate it.

Mr. CARAWAY. Then the stenographer is not wrong?

Mr. ORTH. That answer is right.

Mr. CARAWAY. Well, now, if you will just qualify that you are trying to substitute the opinion of the Security League as it substi-

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tutes the opinion of the majority of the people of the United States, you will stand by that?

Mr. ORTH. I would by that.

Mr. CARAWAY. That the Security League, in order to inform the sovereign citizens of the sovereign State of Arizona that public sentiment demands that they repudiate their Member of Congress and elect another?

Mr. ORTH. No, sir.

Mr. CARAWAY. Don't that necessarily follow?

Mr. ORTH. No. I don't see that it does, sir; I can not say yes to that.

Mr. CARAWAY. I want to ask you just again, in this educational epistle that you wrote in Arizona, just what you did mean by saying "We have no doubt that the wisdom and conscience of the good people of Arizona are fully equal to a correct interpretation of the facts"? Was that a statement to the people or was that a statement of fact?

Mr. ORTH. I don't know; it depends upon the way they received it.

Mr. CARAWAY. What do you mean by it? That's what I want to know.

Mr. ORTH. I mean a distinct statement to the effect that the National Security League had no intention of intervening in any political campaigns in the State of Arizona, but that distinctly recognized and distinctly stated that such affairs were left to the wisdom and conscience of the people of the State.

Mr. CARAWAY. That doesn't happen to have been stated in that sentence, "We have no doubt that the wisdom and conscience of the good people of Arizona are fully equal to a correct interpretation of the facts." Now, that is a statement of fact. Did you feel that way about it? Now, did you mean what you said there?

Mr. ORTH. Yes, sir. I surely did.

Mr. CARAWAY. Well, then if you felt that way, what was the necessity of writing a letter at all, if you believed that they had sufficient wisdom and conscience to properly elect their own officers?

Mr. ORTH. I don't know. That can, I think, be shown by the chain of correspondence.

Mr. CARAWAY. No; this is a letter standing in itself a complete statement.

Mr. ORTH. That may be, but I believe it refers to some letters, some other correspondence.

Mr. CARAWAY. No other letter is mentioned in it. It is an abstract statement that you believed they had the good sense and wisdom to select proper officials.

Mr. ORTH. I still believe, Congressman, that that letter was in response to another letter. And so the statement that we made there was a chain in the correspondence.

Mr. CARAWAY. Well, what use or purpose did it serve if that was true; why should you call attention to certain things if you thought they had good sense and wisdom?

Mr. ORTH. Why, because that seems to me the fair and proper thing to do, I say.

Mr. CARAWAY. You didn't mean anything by it, that sentence?

Mr. ORTH. I meant exactly what it says.

Mr. CARAWAY. What does it say?

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Mr. ORTH. It says "we have no doubt that the wisdom and conscience of the good people of Arizona are fully equal to a correct interpretation of the facts."

Mr. CARAWAY. Well, then, why didn't you stop right there if it was a statement of fact and you believed it?

Mr. ORTH. I don't know; I can't visage now what my state of mind was when I wrote that letter.

Mr. CARAWAY. I want to ask you a question to get some statistics. You said in your testimony this morning you think you sent follow-ups in at least as many as five. You still want to stand by that?

Mr. ORTH. I think that is substantially correct, sir.

Mr. CARAWAY. Will you say that it is true or not? Did you send as many as five?

Mr. ORTH. I won't endeavor to answer that question with particularity. The records are there and stand for themselves, and it is a very easy matter to determine definitely.

Mr. CARAWAY. You said this morning that you thought you didn't send exceeding five and that you knew you didn't send 50.

Mr. ORTH. I made that statement; yes.

Mr. CARAWAY. Well, will you stand by it now?

Mr. ORTH. I have no reason to do otherwise.

Mr. CARAWAY. So you will not say that you did not send out as many as 50?

Mr. ORTH. I repeat to that effect.

Mr. CARAWAY. You do what?

Mr. ORTH. I repeat my previous statement to that effect.

Mr. CARAWAY. Yes, sir; all right. You had no connection with the league in July of 1918?

Mr. ORTH. Yes, sir; I did.

Mr. CARAWAY. What connection did you have with it then?

Mr. ORTH. Chairman of this congressional committee.

Mr. CARAWAY. As chairman of this congressional committee did you deal with all the questions of political activities for educational purposes or otherwise of the league? That was your duty, wasn't it? That is, as the activities were exerted with reference to Members seeking reelection to either branch of Congress?

Mr. ORTH. Why, as chairman of the congressional committee, I dealt with everything connected with the work.

Mr. CARAWAY. Yes. Any question dealing with the political or educational activities of the league which had to do with candidates for the Senate or the House would be within the jurisdiction of your committee?

Mr. ORTH. I think it would, sir.

Mr. CARAWAY. And that you did, therefore, have knowledge of the activities of the league along that line?

Mr. ORTH. I almost surely did, sir.

Mr. CARAWAY. I want to ask you this question—if some time prior to July the 25th, but within that month, the National Security League had anything to do with organizing a committee composed of citizens of a State which I won't name, had that been appointed by the league say and fixing the date as the 25th day of July, 1918, that the league appointed a committee of citizens of a State to inquire into the situation and defeat a certain candidate for the Senate? Did the league have any such activities?

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Mr. ORTH. I don't recall any such occasion.

Mr. CARAWAY. Now, to make it still more definite, I will ask you if the league on the 25th day of July, or in that neighborhood, appointed a committee of citizens of the State of Michigan to inquire into the Ford situation and determine what is the most effective way to work against him and what assistance the league can give its branch in Michigan to accomplish this result?

Mr. ORTH. I don't recall that any such committee was appointed.

Mr. CARAWAY. Could it have been done without your knowledge? It was under your jurisdiction.

Mr. ORTH. I don't think it could have been done without my knowledge.

Mr. CARAWAY. Do you have any knowledge of any such activitiy?

Mr. ORTH. Of a committee being appointed to act in the State of Michigan?

Mr. CARAWAY. Yes.

Mr. ORTH. By the league?

Mr. CARAWAY. Yes, sir.

Mr. ORTH. I don't recall it. I should say if such a committee were appointed it would probably be appointed by the branches in Michigan.

Mr. CARAWAY. No; but this is appointed by the National League to cooperate with the Michigan branch. Will you say that no such activity was engaged in and no such committee was appointed?

Mr. ORTH. I do not definitely recall the occasion.

Mr. CARAWAY. Well, could a thing so important as that escape your memory?

Mr. ORTH. Why, yes; it might in the multiplicity of things I have to attend to.

Mr. CARAWAY. Then, your memory being so defective as that could hardly be trusted in reference to the acitivities of the league, could it?

Mr. ORTH. I think it could substantially.

Mr. CARAWAY. Substantially! If a thing so important as the appointing of a committee to assist and cooperate with other people in defeating a candidate for the Senate should entirely pass out of your mind, you still think you ought to trust your memory and the committee here ought to be bound by your remembrance of a fact?

Mr. ORTH. May I say, Congressman, that whatever the facts were were known?

Mr. CARAWAY. That was not what I asked.

Mr. ORTH. Permit me to make my statement. We mean to be immediately responsive, but we are trying to get facts. Permit me to say that whatever the facts are in connection with that or any other matter or in connection with that matter that I will be very glad to testify to them according to the facts. I desire the opportunity of consulting with Col. Lydecker, the president, and Mr. West, the executive secretary, to refresh my memory as to what the facts were and I will be very glad to-morrow to testify.

Mr. CARAWAY. That was all I wanted to ask you. I assume that if your memory was defective and a thing like that could pass entirely out of it, do you think that you can afford to trust it or the committee ought to be bound by your remembrance of the activities of the league?

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Mr. ORTH. I think that on the whole, sir, my memory is a very good one.

Mr. CARAWAY. That is about as important a matter politically as you could have engaged in.

Mr. ORTH. I don't know that it is.

Mr. CARAWAY. Appointing a committe to cooperate with others to defeat a candidate, naming your candidate for the Senate is not such a rare occurrence in the league, is it?

Mr. ORTH. No; but it may have been a matter which was being attended to by some other person in the league and of which I might have had a casual knowledge at the time.

Mr. CARAWAY. The league had a great many activities of that kind, didn't it, Mr. Orth?

Mr. ORTH. I don't think it did. I am unable to remember the fact, sir. I want to get it and present it to you.

Mr. CARAWAY. Well, Mr. Henry L. West is your secretary, isn't he?

Mr. ORTH. Yes, sir; is executive secretary of the league.

Mr. CARAWAY. You would believe anything he said, wouldn't you?

Mr. ORTH. I would.

Mr. CARAWAY. Even as against your own memory?

Mr. ORTH. Regarding certain questions.

Mr. CARAWAY. Do you know Alton B. Parker?

Mr. ORTH. Yes; I know him.

Mr. CARAWAY. He very bitterly protested against using the words "right" and "wrong" in your chart, didn't he?

Mr. ORTH. I think he spoke about it.

Mr. CARAWAY. He very bitterly protested against using the words right" and "wrong" in your chart, didn't he?

Mr. ORTH. He did, sir.

Mr. CARAWAY. You did not think his opinion was worth heeding—that of an honorary president.

Mr. ORTH. I did.

Mr. CARAWAY. Did you desire to have the league become the assistant of either great political party?

Mr. ORTH. To be the assistant?

Mr. CARAWAY. Yes; and to connect with one or the other of the great parties, not saying which one?

Mr. ORTH. Distinctly not.

Mr. CARAWAY. Were you accused by Parker of trying to effect that result?

Mr. ORTH. I do not recall it, sir.

Mr. CARAWAY. And did Col. Lydecker protest against your attitude, and you refused to change it after you were charged with that matter?

Mr. ORTH. At one of the meetings of the executive committee a discussion of the chart came up, and it was suggested by Mr. Parker and others that the way in which the chart had been made up contained a suggestion of partisanship, and the matter was discussed at some length by the executive committee, and the executive committee finally adopted my view of the matter.

Mr. CARAWAY. Well, that was not at all responsive to the question. The question was, Mr. Orth, if you were accused of trying to make the league an adjunct of one of the political parties?

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Mr. ORTH. According to my best recollection no such thing was implied.

Mr. CARAWAY. Was that implied by what was said?

Mr. ORTH. I think that the language employed was that the league presented a partisan appearance.

Mr. CARAWAY. Well, that is to aid one of the political parties. You refused to recede, did you not?

Mr. ORTH. Why, I strongly championed the chart as it stood.

Mr. CARAWAY. Are you a politician?

Mr. ORTH. No, sir.

Mr. CARAWAY. You know nothing of politics?

Mr. ORTH. Very little.

Mr. CARAWAY. Alton B. Parker at one time thought he knew something about politics, didn't he, Mr. Orth?

Mr. ORTH. I don't know.

Mr. CARAWAY. He held an office or two, didn't he, and thought he would run for another one?

Mr. ORTH. I know he was once candidate for President. I don't recall what offices he held.

Mr. CARAWAY. Don't you know he was one time a member of one of the courts of your State?

Mr. ORTH. I knew that.

Mr. CARAWAY. You did know that, and you were not willing to defer to him in the question of politics?

Mr. ORTH. This was not a matter of politics, sir; this was an educational work.

Mr. CARAWAY. He thought your activities were partisan, didn't he, and political?

Mr. ORTH. Why——

Mr. CARAWAY. Just answer "yes" or "no."

Mr. ORTH. No; he thought that they suggested partisanship.

Mr. CARAWAY. They suggested partisanship.

Mr. ORTH. I don't mean to qualify every word. I am trying to give you the fact of the thing as it was.

Mr. CARAWAY. He said that your attitude was suggestive of partisanship?

Mr. ORTH. Yes, sir.

Mr. CARAWAY. He knew about as well as anybody what your attitude was and what your activities were.

Mr. ORTH. No; he didn't have a very intimate knowledge.

Mr. CARAWAY. He was honorary vice president of your organization?

Mr. ORTH. He was.

Mr. CARAWAY. And a member of your executive committee?

Mr. ORTH. Notwithstanding those things, he had a very superficial knowledge of what the congressional committee was doing.

Mr. CARAWAY. He knew enough that he objected to your methods, didn't he, and threatened to resign if you didn't cease them?

Mr. ORTH. I believe that is correct.

Mr. CARAWAY. I thought you did. That is all.

Mr. JOHNSON. The committee stands adjourned until 10 o'clock to-morrow morning.

(Whereupon, at 5.30 p. m., the committee adjourned to 11 a. m. Thursday, January 16, 1919.)

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TIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

NVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GEN-RAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 16, 1919

PART 9

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECUI
LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman.*

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
H. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Thursday, January 6, 1919.

The committee met at 10 o'clock a. m., the Hon. Ben Johnson presiding.

Mr. JOHNSON. The committee will come to order.

Mr. ORTH. I wish to invite your attention to the donations made for the congressional committee of the National Security League. In looking over the list of donations made to the fund, I have just indicated, I notice that all of the donations, except six of them, are made by New York parties. I will ask you to take the list and look over it and see if in that I am correct [handing book to witness].

STATEMENT OF MR. CHARLES D. ORTH—Continued.

Mr. ORTH. You mean New York State or New York City?

Mr. JOHNSON. New York State.

Mr. ORTH (after examining book). That is correct.

Mr. JOHNSON. Do you know whether or not any of the six live in New York, and at that particular time happened to be out of New York and their contributions were sent in from some other place?

Mr. ORTH. My impression is that that is probably the case with respect to some of them.

Mr. JOHNSON. I will ask you to take that list of donations and state how much money was contributed by persons not residing in New York.

Mr. ORTH. I believe the amount is $38.

Mr. BROWNE. How much?

Mr. JOHNSON. $38.

Mr. ORTH. I want to make this statement, as a part of my response, that some of the funds noted in that account book were not received by the congressional committee until comparatively later dates; and some of the expenses actually incurred by it came out of the general funds of the National Security League and were not wholly paid out of those specific subscriptions.

Mr. JOHNSON. However, out of the total donations to this fund, only $38 were contributed outside of New York?

Mr. ORTH. Out of the funds shown in that book, only $38 was contributed outside of New York.

Mr. JOHNSON. I believe you have stated to the committee that two of the tests shown in the chart, that were written by you were, first, the one concerning the McLemore resolution; the next, the one con-

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cerning the Cooper amendment, and that the other six were written by other people.

Mr. ORTH. Do you refer to the captions in the chart—to these descriptions [indicating]?

Mr. JOHNSON. Yes.

Mr. ORTH. No, sir; that was not correct. My testimony was that the descriptions to numbers one, six, seven, and eight in the chart were written by me, and that the descriptions attached to numbers two, three, four, and five were copied from the pamphlet dated July 1, 1916, which was put in evidence yesterday.

Mr. JOHNSON. You have spoken of these as numbers. Please give the title in another way than by the numbers of the ones which you did write?

Mr. ORTH. I wrote number one, the McLemore resolution; number six, the Cooper amendment; number seven, the declaration of war; number eight, Kahn amendment to the conscription act.

Mr. WALSH. Will you pardon—declaration of war against Germany, isn't it?

Mr. ORTH. Yes; I was merely trying to identify them. The declaration of war against Germany.

Mr. JOHNSON. How did it happen that you write the ones concerning the McLemore resolution and the Copper amendment?

Mr. ORTH. Why, because that appeared to devolve on me as part of my duty.

Mr. JOHNSON. Why did the ones which you did not write devolve upon you as part of your duties?

Mr. ORTH. Because, as already stated, they were taken from the pamphlet published July 1, 1916, by the National Security League and were regarded by the congressional committee and the officers of the league with whom it conferred, to be the most representative and essential test votes on preparedness which could be employed, and as the publication had already been made, it was adopted as previously published by the National Security League.

Mr. JOHNSON. Had you any personal interest in the passage or the defeat of either the McLemore resolution or the Cooper amendment? I mean any personal interest beyond that of one of the citizens of the United States?

Mr. ORTH. Absolutely none.

Mr. JOHNSON. Did the arming or not arming of vessels concern you any in the shipment of sisal from which binder twine is made?

Mr. ORTH. The arming or nonarming of vessels with respect to the shipments of sisal from which binding twine is made did not concern me in the least, because throughout that time I was out of business, having been put out of business by the sisal hemp monopoly, against which I testified at great length in Washington in 1916, and in connection with the prosecution against which by the Department of Justice, after the senatorial investigation, I was the chief informatory agent and witness of the Department of Justice of the United States in the prosecution of that trust. I may add, in further answer to your question, that at that period practically all the hemp which we were importing—which my firm was importing, and in which I was interested—was coming across the Pacific Ocean, which was practically unaffected by the submarine question or the arming or otherwise of ships.

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Mr. JOHNSON. You speak of the effect of arming or not arming a vessel at the time when these resolutions were introduced. Did not the arming or nonarming of vessels concern your business at a future time?

Mr. ORTH. It did not, to my conscious knowledge, at that time, or at any time since—or to my thought.

Mr. JOHNSON. Mr. Orth, I do not know whether you know anything about this particular item or not, but I will ask you concerning it for the purpose of ascertaining whether you have any knowledge of it or not.

Among the contributions made to the National Security League is one from the Fort Pitt Theater Co., of Pittsburg, N. Y., whose office seems to be in the Times Building. That contribution—the amount of that contribution carried on the books of the National Security League—is $284.44. Have you either knowledge or information concerning how the Fort Pitt Theater Co. happened to contribute, and how they happened to contribute an amount of odd dollars and odd cents?

Mr. ORTH. I never heard the name before, nor have I any knowledge of the contribution whatever.

Mr. JOHNSON. I see a contribution made by the United Lead Co. Do you know who they are?

Mr. ORTH. Only in a very general way, from general observation.

Mr. JOHNSON. What is your general information concerning them?

Mr. ORTH. Very slight and very vague. I believe it is a corporation in New York City, engaged in the lead business, but I have no real information about it, Congressman.

Mr. JOHNSON. If the National Security League was declining contributions from those engaged in the manufacture of munitions of war, does it not seem a little strange that they would accept a contribution from the United Lead Co.?

Mr. ORTH. Why, I can only express my opinion on that point, and that is that I should say no, because while the country was at war I should say that almost a majority of the whole people of the United States were engaged in the business of making war munitions.

Mr. JOHNSON. And you do not think that the United Lead Co. was any more concerned in making war munitions than the average citizen of the United States was?

Mr. ORTH. I do not think in principle that it was, any more than the tailor who was sewing on uniforms.

Mr. JOHNSON. Therefore you think it perfectly legitimate for the National Security League to have received contributions from anybody and everybody, notwithstanding their avowed purpose of not receiving contributions from anybody engaged in the manufacture of war munitions?

Mr. ORTH. No; if the National Security League had an avowed purpose or an avowed decision not to accept contributions from makers of munitions of war, why, I think it would have been proper to have stuck to it as far as it was humanely possible to do it.

Mr. JOHNSON. Well, since you seem to doubt—or to leave the inference of doubt in your answer—that that was the policy of the National Security League, did you not hear both its present president and its former president testify that that was the policy of the league?

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Mr. ORTH. I recall hearing Mr. Menken testify to that, and I think I heard Col. Lydecker, but I wish to say, for the information of the committee, it was the first knowledge of that fact which I heard.

Mr. JOHNSON. You also heard it brought in in the testimony, did you not, that Mr. Menken, as president of the National Security League, requested the accountants who were going through their books, upon the request of the league, not to report contributions made from the manufacturers of war munitions?

Mr. ORTH. I remember some testimony about the conversations with the auditors, but I can not recall whether that was the exact testimony.

Mr. JOHNSON. That, however, was the substance of it, was it not?

Mr. ORTH. I think it was to that effect, sir. I can not recall just exactly.

Mr. SAUNDERS. Mr. Orth, I am a little curious to ascertain how you came to make the selections for these intensive campaigns in the 47 districts that you picked out for this intensive, aggressive campaign. How were those selections made, on what basis? I believe you said Mr. Barnhart's district was one that was selected for a campaign of that character?

Mr. ORTH. The selections were made not in 47, but in 94 districts.

Mr. SAUNDERS. Well, I notice you have, though, two that you seem to put on that basis, the first 47 and the second 47?

Mr. ORTH. The selection of the first 47 districts, in districts where the voting in 1916 had been close, were made, as I believe I have already described, and gone over the entire list of the 47 districts——

Mr. SAUNDERS. It was not a selection, then, according to the demerits of the candidates, but as a practical politician you selected the close districts for your fight?

Mr. ORTH. No; that is not a correct representation of the facts.

Mr. SAUNDERS. Well, was it—I am trying to find out what it was.

Mr. ORTH. I was going to go on to say that in those close districts, out of the 165 close districts, you will note that only 47 were selected. Those 47 were selected because they represented what appeared to be the maximum of wrong voting, according to the chart, in the 165 close districts. Now the other 47 districts were selected solely on account of the records and without any regard as to whether the districts were close or not, because the National Security League believed that logically and properly its educational work should be carried to its logical conclusion and represent those records according to the chart.

Mr. SAUNDERS. Have you got that Senate tract there, Mr. Orth.

Mr. ORTH. Yes [handing paper to Mr. Saunders].

Mr. SAUNDERS. Now, with respect to these selections, what districts did you select for your intensive contest?

Mr. ORTH. Yesterday, in response to questions, I mentioned the fifth, sixth, eighth, and thirteenth districts in Ohio as having been included in the 47 intensive districts in which there had been close voting in 1916. We also conducted an intensive educational campaign——

Mr. SAUNDERS (interposing). Just a moment—let me see now—the *fifth, sixth, eighth*, and thirteenth.

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Mr. ORTH. We also conducted an intensive educational campaign in Ohio, in the third, ninth, sixteenth, and seventh, which were not close districts.

Mr. SAUNDERS. You waged an intensive warfare, then, as I understand, in the third, fifth, sixth, eighth, ninth, thirteenth, sixteenth, and seventeenth?

Mr. ORTH. I object to the word "warfare," but we took intensive action in those districts.

Mr. SAUNDERS. They were the storm centers, then, in Ohio?

Mr. ORTH. I object to the term "storm centers," but those were the districts to which we sent our literature.

Mr. SAUNDERS. Was the eighteenth one of those districts?

Mr. ORTH. I don't believe it was.

Mr. SAUNDERS. Well, now, the record of the member in the eighteenth seems to be about as bad as any of your Ohio members. Why was he omitted from this intensive, aggressive work?

Mr. ORTH. Why, because he was not running for Congress, according to our information.

Mr. SAUNDERS. In the eighteenth district?

Mr. ORTH. In the eighteenth district.

Mr. SAUNDERS. Well, the twentieth and twenty-first seemed to have pretty bad records, according to your chart. Why were they not recipients of your attentions?

Mr. ORTH. For the same reason, sir.

Mr. SAUNDERS. You only concerned yourself, then, with the elections, not with the primaries?

Mr. ORTH. We concerned ourselves with educational work on this subject, from the beginning of June, without particular respect to the primaries or elections, but no doubt the result of our influence would have been made apparent by the people at both the primaries and elections.

Mr. SAUNDERS. What were the selections in Minnesota?

Mr. ORTH. The third, fourth, and sixth districts, in which the voting, according to our best information, had not been close. I refer to that simply because nothing has been brought out in the questions to me regarding the forty-seven not close districts, where we waged an intensive campaign in exactly the same manner that we did in the forty-seven close districts?

Mr. SAUNDERS. What were the districts in Minnesota?

Mr. ORTH. The third, fourth, and sixth.

Mr. SAUNDERS. Why did you omit the first and second, in which the Members seems to have made a very much worse record than in the sixth?

Mr. ORTH. According to our best information, in the first district no candidate had been nominated—according to our best information, there was only one candidate in the first district.

Mr. SAUNDERS. Well, how about the second?

Mr. ORTH. In the second district of Minnesota no intensive campaign was made, owing to a clerical error made, apparently by myself. I don't wish to have any misunderstanding, so I want to explain what the error was.

Mr. SAUNDERS. Now, unless you are anxious to put that in, I don't care about having that.

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Mr. ORTH. Just as you like, sir. I simply want the committee to understand I am trying to be absolutely frank about these things.

Mr. SAUNDERS. Well, you have stated it was due to a clerical error, and that is sufficient.

Now, in the ninth district, why wasn't a campaign made there?

Mr. ORTH. In the ninth district, it appeared from the best information we were able to obtain, that there was but a single nominee for Congress.

Mr. SAUNDERS. Bad as were the records of those Members, they could not find anybody to run against them, seems to be about the situation?

Mr. ORTH. I don't know. I am not informed on that.

Mr. SAUNDERS. You are only informed that they did not have opposition? Now, in Illinois—give me your districts here.

Mr. ORTH. The intensive, close districts were the twentieth, twenty-fifth, twenty-sixth, twenty-fourth. Intensive, but not close districts: Third, ninth, fifteenth, seventeenth—pardon my hesitation, but it is a long time since I made out this memorandum and there are some things which I am trying to remember the facts about. I think that is all in Illinois.

Mr. SAUNDERS. Well, what is it that you call a "close district," Mr. Orth?

Mr. ORTH. It is one of the districts in which the voting in 1916 was close.

Mr. JOHNSON. What figures do you call close?

Mr. SAUNDERS. Now, will you give me the figures on a close district?

Mr. JOHNSON. Let him answer the inquiry first—what figures he calls close.

Mr. SAUNDERS. Yes; let him answer that.

Mr. JOHNSON. What majority would you call close?

Mr. ORTH. We call close where the majority or plurality was not more than 10 per cent of the total vote.

Mr. SAUNDERS. Now, I see that you selected the twentieth district here as one of the close districts. What was the majority in that district of the sitting Member? I notice you seem to have here one election with about 8,000 majority. That seems to me—down my way that would have been a comfortable majority.

Mr. ORTH. According to the figures which I have here the vote in 1916 was: Democrat, 24,364; Republican, 19,019; Socialist, 478. So that the majority was about 10 per cent.

Mr. SAUNDERS. About 5,000 clear?

Mr. ORTH. 5,000.

Mr. SAUNDERS. Well, that is not 10 per cent. That is more than 10 per cent.

Mr. ORTH. I wish to say that the 10 per cent was approximate, but I think the committee will find there is no substantial departure from that basis.

Mr. SAUNDERS. A man elected by 5,000 majority, then, in your figures, runs in a close district.

Mr. ORTH. I think that would depend on the relation, sir, which the 5,000 majority bore to the total vote.

Mr. SAUNDERS. Well, in the thirteenth district that Member don't *seem to have* a particularly good record. Why was he omitted?

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Mr. ORTH. Because, according to our best information, he had no opponent. He was the only candidate running.

Mr. SAUNDERS. How about the twelfth?

Mr. ORTH. The same thing.

Mr. SAUNDERS. How about the fifth?

Mr. ORTH. In the fifth district we did not regard that the voting record established by a man like Mr. Sabath was sufficiently bad to warrant any particular educational campaign in that district.

Mr. SAUNDERS. Well, he seems to have almost a 50-50 vote.

Mr. ORTH. According to the memorandum which I have here, which I believe is correct, he voted against measures Nos. 2, 3, and 4.

Mr. SAUNDERS. And did not vote on 5, which has been designated as a pretty informative vote.

Mr. ORTH. Yes, sir. I can only give the reason which was in our minds at the time, sir, and according to my best recollection——

Mr. SAUNDERS (interposing). How many of these so-called bad votes would a man have to cast to justify your attention?

Mr. ORTH. That matter was given very serious and earnest and very sincere thought by myself and all the associates with whom I could consult; and we believe that in the district where the voting was close and where the people might be able to accomplish something for themselves, that any man who had voted wrong on the McLemore resolution, the Cooper amendment, or the declaration of war, or the selective-conscriptive act, or who had voted wrong on all four of the preparedness measures, should be the safest for the selection of the intensive educational campaigns in the close districts.

In the 47 not-close districts we believed that a very bad record, such, for instance, as the men who voted wrong on all eight measures, or seven, six, etc., should constitute the basis of an educational campagin.

Mr. SAUNDERS. The Member from the twenty-fifth and the Member from the fifth Illinois seem to have made about the same record. Why did you select one and not the other?

Mr. ORTH. The Member from the twenty-fifth voted wrong, according to the chart, on the McLemore resolution and the Cooper amendment.

Mr. SAUNDERS. Yes.

Mr. ORTH. The Member from the fifth voted wrong on three of the preparedness measures. I have just described in some detail the difference in importance which our best judgment allocated to those various measures.

Mr. SAUNDERS. Then you differ from Col. Lydecker in drawing a very sharp distinction between the acidity of your different acid-tests votes?

Mr. ORTH. I can't answer the question in the form put, because I don't remember the colonel's testimony on the point.

Mr. SAUNDERS. Don't you recall that Col. Lydecker practically found no difference in the value, as tests, of most of the votes of the chart?

Mr. ORTH. I do not recall it, sir.

Mr. SAUNDERS. You were not here when he testified?

Mr. ORTH. I may have been, but I don't recall it.

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Mr. SAUNDERS. There was only one of these acid-test votes that he has slightly shaded away in importance from the others.

Mr. ORTH. I can only testify as to what I had knowledge of, and that was that I did not believe—and I believe that most of my colleagues did not believe—that the votes in that chart were of equal value; and for that reason we, not once but many times, pointed out that we carefully mentioned each measure so that the people all over the country could distinguish for themselves the gravity of the measure voted on, as well as the number of votes.

Mr. SAUNDERS. Well, at any rate, from the statements you have just made, you have a very distinct idea as to the relative value of these acid-test votes.

Mr. ORTH. I have, sir.

Mr. SAUNDERS. Now, I notice that Mr. Sabath voted against No. 4, which has by the witnesses from your league been rated pretty high up as an acid-test vote. Don't you put No. 4 in the same class as the McLemore resolution?

Mr. ORTH. I would not, sir.

Mr. SAUNDERS. In spite of the fact that you reached the conclusion yesterday that you had given to the country an erroneous statement as to the effect of the McLemore resolution.

Mr. ORTH. If my testimony yesterday created in your mind or in anybody else's that I had given to the country an erroneous idea as to the result of the McLemore resolution, I wish to say now that that was not the intent of what I said. What I attempted to say, and what I think I did say, was that technically that was so; that morally and in actual effect it was not so.

Mr. SAUNDERS. Didn't your bulletins put out in relation to the McLemore resolution say that it had the legal effect of taking away constitutional rights?

Mr. ORTH. The chart?

Mr. SAUNDERS. Not the chart; the bulletins that were put in the record yesterday.

Mr. ORTH. I can not testify affirmatively to that. I have no doubt it did.

Mr. SAUNDERS. The McLemore resolution could not and did not take away any legal rights, much less constitutional rights?

Mr. ORTH. Technically it could not.

Mr. SAUNDERS. Well, actually?

Mr. ORTH. Actually it could and would have done so, in my opinion, if the resolution had not been tabled.

Mr. SAUNDERS. Now, tell me how, if the House had adopted the McLemore resolution, tell me what would have been its effect?

Mr. ORTH. Its effect, in my opinion, would have been that the people, that American citizens——

Mr. SAUNDERS (interposing). I am not speaking about that large effect that you have undertaken to go into. What would have been its effect upon people affected and intended to be affected by it primarily?

Mr. ORTH. It would have deterred them from exercising their legal rights.

Mr. SAUNDERS. Well, what would have been the first step necessary *to be taken* under the McLemore resolution?

Mr. ORTH. None whatever.

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Mr. SAUNDERS. None whatever. You mean by that in case it passed the House. In case the House passed the resolution, what would have been the first step directed to be taken by it? Just a moment—can you answer that question without referring to notes or memoranda?

Mr. ORTH. Why, I am not sure that I quite understand the question. I want to answer the question as you mean it.

Mr. SAUNDERS. Very well; let us get a clear understanding of the question.

My question is, If the McLemore resolution had been passed by the House of Representatives, what was the step directed to be taken by that resolution? What did that resolution, in other words, direct to be done by its terms?

Mr. ORTH. Warn American citizens.

Mr. SAUNDERS. Who?

Mr. ORTH. Who warned them?

Mr. SAUNDERS. Who was to warn them?

Mr. ORTH. The President "be requested to warn American citizens."

Mr. SAUNDERS. Then the effect of that resolution, as it was passed, was to request the President to warn American citizens?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Suppose the President had neglected to act on the request, what would have been the effect of the McLemore resolution?

Mr. ORTH. The effect of the McLemore resolution on the minds of the American people would have had the effect of deterring them in the exercise of their legal and natural rights.

Mr. SAUNDERS. You undertake to say that a resolution which was a request upon the President to take certain action would have had the effect of taking away legal and constitutional rights from American citizens, even though the President had not acted upon that request.

Mr. ORTH. I did not say that.

Mr. SAUNDERS. Well, what did you say? I asked you what would have been the effect of it if the President had declined to act upon the request?

Mr. ORTH. If the House of Representatives had passed the resolution, and if the President had or had not acted on the request, I believe the effect would have been to deter American citizens in exercising their legal rights.

Mr. SAUNDERS. The McLemore resolution set forth that the House of Representatives request the President to warn all American citizens, within its borders, or its possessions, or elsewhere, to refrain from traveling on any and all ships of belligerent powers, mounting guns.

Mr. ORTH. I beg your pardon, Congressman. Did it say "belligerent powers?"

Mr. SAUNDERS. No; it did not say that.

Mr. ORTH. I thought you said "belligerent powers?"

Mr. SAUNDERS. I said that. If you want the exact reading of the resolution—I was giving you the meaning of it—"refrain from traveling on any and all ships of any and all powers now or in future at war, which ships shall mount guns."

Do you draw any distinction between that and ships of belligerent *nations carrying guns? Still*, you need not argue upon it. I do not

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insist upon the phrase I used. I was just cutting short the verbiage of that.

Mr. ORTH. I am going to try to answer the question with such qualifications as I think are essential.

Mr. SAUNDERS. I had not asked my question yet. I have stated what the McLemore resolution does provide for. Do you think that it was such——

Mr. ORTH (interposing). You have stated it in part, sir.

Mr. SAUNDERS. Well, do you want anything else in it? I will put the whole resolution in if you think it necessary for your purposes. Do you think that it was a frightfully disloyal thing to suggest to the people of this country to suggest that they should refrain from—at this time of national peril—refrain from traveling on the ships of belligerent countries carrying guns?

Mr. ORTH. I think it was an infringement of the rights of the people to request it, and I don't think that such a request was in consonance with the dignity or honor of the country.

Mr. SAUNDERS. Even at a time when neutral ships were leaving our ports every day, you think that a request on American citizens to forego their right to travel on belligerent ships carrying guns was the equivalent, legally or morally, of taking away from an American citizen his legal and constitutional rights?

Mr. ORTH. That was my opinion, sir.

Mr. SAUNDERS. In your opinion, then, the request upon American citizens, in time of war, to refrain from traveling on ships of belligerent countries carrying guns showed a greater lack of vision on the part of those who voted for that proposition than the men who voted against providing for a volunteer reserve army under Federal control, with a view to the protection of this country?

Mr. ORTH. No; I would not say that, sir.

Mr. SAUNDERS. You would not say that?

Mr. ORTH. No.

Mr. SAUNDERS. Well, then, that being so, tell me what is the difference between Mr. Denison's case and Mr. Sabath, because Mr. Sabath voted against that proposition to provide for volunteer reserve army.

Mr. ORTH. I think that the distinction in those two cases is in exact consonance with what I said. I don't believe that Mr. Sabath's record in voting against three preparedness measures is as bad as Mr. Denison's in voting against two such fundamental measures as the McLemore resolution and the Cooper amendment.

Mr. SAUNDERS. You stated on yesterday, Mr. Orth—you gave your definition of "loyalty." Do you conceive that in the literature which you circulated, particularly having in mind the state of excitement of the public, that any one reading that literature ever gave that meaning to the word "loyalty"?

Mr. ORTH. I can not testify as to the state of mind of thousands or millions of other people, Mr. Congressman. I can only testify as to what was in my own mind and what my own intent was.

Mr. SAUNDERS. I will ask you the question I have asked some of these other witnesses for the league. Didn't you expect your language to be taken according to the common acceptation and the usual meaning of the same?

Mr. ORTH. The only thought I had in connection with it was the thought which I have already described.

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Mr. SAUNDERS. You can answer "yes" or "no" to my question.

Mr. ORTH. It is very difficult to do so, sir; and to convey the true spirit.

Mr. SAUNDERS. The other witnesses had no difficulty whatever in answering it. They said they expected their words to be taken according to the ususal acceptation and the common understanding of the same. Now, I will ask you: When you use language in your bulletins, did you have the same thought in view?

Mr. ORTH. Yes; I think that would be it.

Mr. SAUNDERS. Now, you gave a very elaborate, refined, and unusual definition of loyalty on yesterday. I ask you again: Do you imagine that in your literature that you circulated on behalf of the league, that the public had that apprehension of the word "loyalty?"

Mr. ORTH. The definition that I gave yesterday was not mine, but was Webster's.

Mr. SAUNDERS. As I understood your definition on yesterday, it was: "Loyalty consists in conformity to the public attitude on questions of public policy."

Mr. ORTH. I think I said "to the overwhelming public sentiment and opinion of the American people."

Mr. SAUNDERS. Well, that is the public attitude on questions of public policy. Suppose a man is in full accord with the attitude of his own district—whatever may be the attitude of other districts—is that man loyal or disloyal when he votes in conformity with the attitude and wishes of his own people?

Mr. ORTH. Well, sir; I believe that a Member of Congress is a Member of the Congress of the United States, elected by the people of a certain district, and that he is charged with the duty of representing the United States. I believe, sir; that you represent New York State in national matters just as much as you do your own State.

Mr. SAUNDERS. Well, if I voted New York views I wouldn't represent any district from Virginia very long, and I imagine if your districts voted Virginia's views, you would soon lose a few Congressmen from New York.

Let me see if I get your attitude exactly. We will take the question of conscription, with respect to which there has been the widest diversity of opinion in this country. The question comes up in Congress for action. My district is overwhelmingly opposed to conscription on the ground that it is not necessary for the public defense and is, as some of the greatest men of this country have held, unconstitutional. I vote in full accord with the people of my district and their views; but differnet views are held in New York and in other portions of the country who are in favor of conscription. Am I loyal or disloyal?

Mr. ORTH. I should say, sir, that you were disloyal to the overwhelming public sentiment of the American people generally.

Mr. SAUNDERS. How am I with respect to my people who sent me to Congress to vote their attitude upon public questions?

Mr. ORTH. I believe, in a matter of that kind, which is wholly National in its scope and aspect, that the duty devolved upon you, sir, to vote from a National standpoint.

Mr. SAUNDERS. Who determines these questions of when a Member shall disregard the attitude and wishes of his own people and vote according to the views and attitude of other people?

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Mr. ORTH. I think, sir, that the circumstances and his own good judgment should determine that.

Mr. SAUNDERS. He can consult in a very direct way the wishes of his own people and conform to that. How is he to be apprised of the wishes of the people of Maine and Oregon and New York and other remote sections of the country?

Mr. ORTH. If your illustration was based on the Kahn amendment to the conscription act, I should say one way of doing it was right in the House of Representatives itself, where you could have found that the sentiment was about three to one in favor of conscription, as opposed to volunteer service.

Mr. SAUNDERS. You ascertained that after the vote was taken, but I am seeking to ascertain in a sense how a man who wants to serve his country and represent his own people can ascertain these States of mind of other sections.

Mr. ORTH. It is true that I ascertained it after the vote was taken, but you could have ascertained it before.

Mr. SAUNDERS. We could not.

Mr. ORTH. I assume that by conversation with Members of Congress it might have been ascertained.

Mr. SAUNDERS. You said on yesterday, when asked if a man could have voted against war and at the same time been in accord with the wishes of his people, the attitude of his people, that such a thing was conceivable, but you intimated that it was most unlikely. Do you still hold that view, that a man in voting against the declaration of war was out of touch with the attitude of his own people?

Mr. ORTH. With the attitude of the American people.

Mr. SAUNDERS. With the people of his own section?

Mr. ORTH. He may or may not have been, sir. I think it would vary a great deal under the circumstances in each case.

Mr. SAUNDERS. You were satisfied that the attitude of the people of all the districts favored war, were you not?

Mr. ORTH. I was satisfied that the attitude of all the good, sound, American stock in all the districts favored war, yes.

Mr. SAUNDERS. Is there good, sound, American stock in the State of Illinois?

Mr. ORTH. There surely is.

Mr. SAUNDERS. How do you reconcile the statement that you have just made with the fact of record that practically all of the men who voted against war were returned by their constituents, or the overwhelming proportion of them were returned by their constituents?

Mr. ORTH. I can not reconcile it without a very careful examination of the records in every case.

Mr. SAUNDERS. Well, I will give you the records here?

Mr. ORTH. I mean, sir, the events before election and afterwards.

Mr. SAUNDERS. I will give you them. Your league was educating the people as to loyalty, patriotism, ideals, 100 per cent Americanism, so that there was no lack of information on that subject in any district in the United States.

Mr. ORTH. I am glad you value the work of the league so highly, sir.

Mr. SAUNDERS. I don't say how I value it. I said there was no lack *of information* that you were seeking to afford, but apparently the *districts* rejected that information.

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Now, you selected in Illinois our old friend Mr. Mason for intensive operations.

Mr. ORTH. Might I ask what district that was, sir?

Mr. SAUNDERS. He ran in the entire State of Illinois, so that if there was any good stock in Illinois he had a chance to have it express itself. You likewise selected for your operations Mr. King, in the fifteenth district of Illinois, and also Mr. Denison. Do you know what happened in those districts?

Mr. ORTH. I do not, sir.

Mr. SAUNDERS. You selected Mr. Wheeler likewise, and Mr. Rodenberg, for your attentions. They voted against war; likewise Mr. Fuller and Mr. Britten. Are you aware that every one of those gentlemen were reelected to Congress, and Mr. Mason, running in the State at large, by an overwhelming majority?

Mr. ORTH. Why, I believe that is a fact, sir.

Mr. SAUNDERS. Does that look as if they were correctly voicing the attitude of the people of their States and of their districts in voting against war, or that your league was correct in its determination of what the people of that State were thinking on that subject?

Mr. ORTH. Will you read that question, please?

(The reporter read the question as follows: "Does that look as if they were correctly voicing the attitude of the people of their States and of their districts in voting against war, or that your league was correct in its determination of what the people of that State were thinking on that subject?")

Mr. ORTH. That looks as if they voiced the determination of the voters of their districts.

Mr. SAUNDERS. You still regard them as being loyal or disloyal in their votes on the subject of war?

Mr. ORTH. I regard them as I regarded them when the chart was issued, sir.

Mr. SAUNDERS. As still disloyal, in spite of their reelection by their constituents?

Mr. ORTH. I do, sir. Any unretracted vote against the declaration of war I so regard.

Mr. SAUNDERS. You have given a very high value, indeed, to the McLemore resolution as an acid test. You rate along in the same class with that, I imagine, conscription, do you not, the vote on conscription?

Mr. ORTH. No, sir—in my own mind I should not.

Mr. SAUNDERS. You think the vote on the McLemore resolution was not more important than the vote on conscription, or less?

Mr. ORTH. Less important.

Mr. SAUNDERS. Less important?

Mr. ORTH. Less important.

Mr. SAUNDERS. Then you rate the vote on conscription very highly indeed?

Mr. ORTH. In my opinion the vote on conscription was second in importance in all the votes.

Mr. SAUNDERS. What was the first vote in importance?

Mr. ORTH. The declaration of war.

Mr. SAUNDERS. Well now, having in mind what you have just stated, can you tell me why you did not select the eighteenth Illinois

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district for intensive attention? The member from that district seemed to have voted wrong on two very acid tests.

Mr. ORTH. According to our best knowledge and belief Mr. Cannon was unopposed.

Mr. SAUNDERS. Another case in which a man, even with a bad record did not tempt opposition.

Mr. ORTH. Apparently.

Mr. SAUNDERS. Now, let us take North Carolina, Mr. Orth. Whom did you select for your attentions in North Carolina, what districts, and upon what theory?

Mr. ORTH. May I add, Congressman, as part of my reply to the previous question, that in the districts which you have mentioned, like the eighteenth Illinois, the National Security League did distribute its educational literature and did so without regard to the matters about which you have been inquiring.

Mr. SAUNDERS. Now, North Carolina.

Mr. ORTH. In North Carolina the fifth, eighth, and ninth.

Mr. SAUNDERS. The member in the fifth district does not seem to have a very bad record, except he appeared to have voted right on the McLemore resolution, and his vote seems to have been about the same as Mr. Sabath's vote. Can you explain to me why you gave Mr. Sabath carte blanche, but selected Maj. Stedman for an intensive political campaign?

Mr. ORTH. I have already explained that four solid votes against preparedness measures had been, according to our best judgment, selected as constituting the basis for an intensive educational campaign in close districts, and the fifth North Carolina district comes distinctly within that designation, sir.

Mr. SAUNDERS. I had not understood that you put it that way. Now, Mr. Sabath voted distinctly against three preparedness propositions, and did not vote on the other one; so that it seems to me a man who has an opportunity to do his duty and does not do it, practically does not deserve as much consideration as a man who went on and voted.

Mr. ORTH. In the fifth North Carolina one of the candidates actually voted against the four propositions, which brought it within the mathematical standard which he had set down.

Mr. SAUNDERS. Now, let us see: Do I understand, then, that your league adopted a provision to this effect, that, where a man voted against the four preparedness measures, in his district there should be an intensive campaign against his reelection?

Mr. ORTH. Provided it was one of the close districts; yes, sir.

Mr. SAUNDERS. Now, will you file with the committee here the evidence from your records that that formal action was taken at the same time by your league?

Mr. ORTH. I will do that, sir, at a later date, when I have the time to prepare it, and with pleasure.

I wish to state to this committee that the National Security League or its congressional committee did not in any case use any selection of judgment of its own with regard to the candidates respecting whose districts an intensive educational campaign should be waged. The list of 94 intensive districts were picked out mathematically, and if you find any exception whatsoever to the mathematical designation which I have promised to put into this committee, it will be

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a clerical error and nothing else. We used no volition; we did not know the individual; we did not know his politics; we simply did our patriotic duty as we saw it.

Mr. SAUNDERS. I notice that the Member from the fourth district not only voted as the Member from the fifth district did——

Mr. ORTH. I beg your pardon, Congressman; what State?

Mr. SAUNDERS. North Carolina—not only voted as the Member from the fifth district did, which would bring him within your rule as four solid votes against preparedness, but he also voted against conscription. Now, will you explain to me why you selected the Member from the fifth and omitted to attend to the case of the Member from the fourth?

Mr. ORTH. Why, the reason was that the case was apparently absolutely hopeless.

Mr. SAUNDERS. Why?

Mr. ORTH. Why, on account of the great majority which had been cast in the 1916 election.

Mr. SAUNDERS. But a league holding the view——

Mr. ORTH. I further wish to state that I believe that it was an error not to have included the fourth district as one of the intensive districts.

Mr. SAUNDERS. Now, a league having the high purposes that your league had, with respect to education, would not be deterred from the effort to educate by the apparent hopelessness of a political contest, would it?

Mr. ORTH. No, sir. And you will find, when you get my report on this matter later on, that we undertook our educational campaign in many districts where it was absolutely hopeless.

Mr. SAUNDERS. Do you stay with the answer you gave a moment or two ago that the reason you did not conduct a campaign in the fourth district was because it was absolutely hopeless?

Mr. ORTH. No; I supplemented that answer, sir, by another answer.

Mr. SAUNDERS. The more mischievous the collection of votes a Member had cast the greater reason to educate that district, would be a fair conclusion, would it not?

Mr. ORTH. We were guided by those votes principally, sir.

Mr. SAUNDERS. I notice in the second district of North Carolina is a gentleman who seems to have voted about as badly, according to your chart, almost as a man could vote. Why not have educated in an intensive way the people of his district?

Mr. ORTH. Our information was that he was the only candidate in the district, and that the cost of an educational campaign there would have been entirely useless and wasted, as the people had already, by the fact that they did not nominate any opposing candidate, indicated that they were not susceptible to any educational campaign.

Mr. SAUNDERS. In that instance, Ephraim was hopelessly given over to his idols; the people of that district were beyond being reached by the educational campaign of your league?

Mr. ORTH. I will ask for questions in modern, not classical, shape.

Mr. SAUNDERS. I thought at least you had a little familiarity with the Bible.

Now what were your intensive selections in Oklahoma?

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Mr. ORTH. The eighth (close) district, the second and fifth, not close.

Mr. SAUNDERS. The member from the sixth seems to have come absolutely within your rule as to the four votes against preparedness.

Mr. ORTH. In the sixth, sir?

Mr. SAUNDERS. Yes. Why was he not included in your attentions?

Mr. ORTH. Why, because as I have already explained, that in the intensive, not close districts, votes merely against preparedness measures were not included in the category of districts in which an intensive educational campaign should be waged.

Mr. SAUNDERS. I ask you the same question with respect to the third, who also voted against the four preparedness measures.

Mr. ORTH. The conditions and the reply are exactly the same.

Mr. SAUNDERS. I also ask you as to the seventh?

Mr. ORTH. The conditions and the reply are exactly the same.

Mr. SAUNDERS. Now, will you give me the vote in the third?

Mr. ORTH. The vote in the third, in 1916, according to our records, was Democrat, 21,182; Republican, 10,386; Socialist, 6,862.

Mr. SAUNDERS. Don't you think, according to your scale, that that was a close district?

Mr. ORTH. No, sir.

Mr. SAUNDERS. What was the majority there of the Member elect?

Mr. ORTH. 11,000, out of a total of 37,000, or very considerably more than 10 per cent.

Mr. SAUNDERS. Oh, no; you have given the plurality. I asked for the majority.

Mr. ORTH. I am a tenderfoot politician, Congressman, so will you kindly explain to me about a district where there are three candidates, if there is a majority as well as a plurality?

Mr. SAUNDERS. Why the majority means what a man has in excess over all of his opponents, and a plurality is what he has in excess over the opponent next to him.

Mr. ORTH. I see, sir. The majority in the third district was approximately 5,000 votes in an electorate of about 38,000—still not within the 10 per cent designation; although I am frank to say I did not figure it that way; I took the plurality and total vote.

Mr. HARRISON. You know that in some States they elect on the plurality, and in some it takes a majority. In my State it takes a majority of the votes cast.

Mr. ORTH. I regret to be obliged to admit I did not know that, sir.

Mr. SAUNDERS. Now, your figures are all wrong, Mr. Orth; you do not wish to admit you know as little about figures as you say you know about politics?

Mr. ORTH. No; I do not, sir.

Mr. SAUNDERS. I say you do not wish to admit you know as little about figures as you say you know about politics; won't you revise your figures and tell me what is the majority there?

Mr. ORTH. I am talking about the third Oklahoma district.

Mr. SAUNDERS. I am talking about the Carter district.

Mr. ORTH. I regret to say I was wrong, on account of dealing with the general figures, and calculating it exactly, Mr. Carter received 21,182 votes as against 17,248 votes.

Mr. SAUNDERS. In other words, his majority is 3,938, is it not?

Mr. ORTH. 3,934 I made it, sir.

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Mr. SAUNDERS. It is 38 according to the figures you gave me. What was the total vote there?

Mr. ORTH. The total vote there was 38,430.

Mr. SAUNDERS. Now, 3,900 is mighty near your 10 per cent of 38,430?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Doesn't that approximate now much more closely to your 10 per cent standard than the districts you gave some moments ago in which you did make a fight?

Mr. ORTH. Yes, sir. But in my calculations the figuring I did in that district and in every other district in which there were three candidates was based on the plurality and not on the majority. And based on those figures, why it is not within the 10 per cent limit. I can only tell you the facts, sir, and not what should have been done.

Mr. SAUNDERS. Now, is not this a fair query, Mr. Orth, that the greater appeared to be the condition of ignorance and lack of vision and of patriotic attitude in a district, the greater reason why an educational league like yours should educate them?

Mr. ORTH. Why, I think that that would depend upon the cast of mind of the persons considered. The National Security League was not at liberty, in my opinion or in the opinion of any of its officers, to exercise any discretion about those things. In the same way, it did not feel at liberty to exercise any discretion regarding what it should put in the chart, except the actual vote as taken from the Congressional Record. In the same way, we felt in determining where we should conduct what we call intensive campaigns we had to stick absolutely to the mathematical method of selection, so it could not be charged we were favoring one man or the other.

Mr. SAUNDERS. Your attitude was you wanted to stick to the votes as they appeared in the record; that is what you have just stated?

Mr. ORTH. I state that, in connection with the chart, sir.

Mr. SAUNDERS. In connection with the chart?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Why did you prepare a House chart, then, that did not conform to that standard?

Mr. ORTH. I didn't do so.

Mr. SAUNDERS. Here is a chart that gives the vote of each Member, but it does not stop at that; it proceeds to define the value of those votes, as to whether they are right or wrong. You proceed to indicate what votes are right and what votes are wrong, and then you wind up with the challenging inquiry, "What are you going to do about it?" Do you think that is just giving the votes from the Record?

Mr. ORTH. My statement had reference to the fact we had based our test upon the votes cast in Congress as shown by the Congressional Record.

Mr. SAUNDERS. Are you in a position to give any better explanation than your President did as to why you prepared a different chart for the Senate than for the House?

Mr. ORTH. I do not know whether why we prepared a different chart for the Senate than for the House any better than the President did; but I can tell you the truth and the facts about it, sir.

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Mr. SAUNDERS. Now, in the Senate chart we find that you give a little qualifying statement; it seems to be saving the face of the Senator, so to say, to the following effect:

"Immediately after the vote was announced, a number of the Senators who voted against tabling the resolution, made speeches explanatory of their votes, which so modified or qualified their action that classification for the exact purposes of this record is impossible."

You did not have anything like that in the House chart, did you?

Mr. ORTH. No, sir. For the reason that the Congressional Record shows immediately following the vote on the Gore resolution, as in fact it does on other measures, a definite, concise, and exact statement by Senators, of what they said, and is entirely distinguished from any such qualification in the House records, and for the reason that the House records would have to be picked out of speeches more or less lengthy and not absolutely to the point of the vote, as is shown in the Senate records.

Mr. SAUNDERS. But that is not in conformity with your statement that you wanted to stick by the votes. With respect to the Senate, you are inserting a saving qualification that you do not put in the House chart at all. Why didn't you stop this in the Senate chart with giving their votes and then let the public do their investigating as to the individual Senators, just as you were compelling the public to do with reference to the House votes. I just wanted to know why you would not be equally fair to the House as to the Senate, and not this unfairness?

Mr. ORTH. We did not undertake to be unfair, sir. We wanted to be, we strove very hard to be, just as fair as we possibly could and we tried to be as fair as we possibly could at all times and under all circumstances and to give the facts and circumstances as they appeared before us at that time.

Mr. SAUNDERS. Whatever your purpose may have been, I am dealing now with what you actually did. In the House chart, we find this provision: Where no designating mark appears beside a Congressman's name, it indicates that he voted right, or was paired accordingly; a cross mark indicates that he voted wrong, or was paired accordingly; N. V., not voting; P., answered "present." Why didn't you adopt that same language in appraising the action of the Senators?

Mr. ORTH. Why, because in looking up the votes in the Senate, I found that there appeared to be a very much larger percentage of nonvoting Senators on various measures when "yea" and "nay" votes were taken, than appeared to be in the House. And I asked Mr. West what the explanation was and he explained that that was one of the customs of the Senate, due to the ordinary procedure there, and that nonvoting in the Senate had always been on a larger scale, proportionately, than in the House. And he advised me to make that suggestion.

Mr. SAUNDERS. What suggestion?

Mr. ORTH. I beg your pardon; he advised me to include that wording in the chart which was included.

Mr. SAUNDERS. Well, you have in the Senate chart the not-voting note. What I am asking you is why you did not, with respect to the

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Senators, indicate the vote that was the right vote and the vote that was the wrong vote?

Mr. ORTH. Oh, I beg your pardon, sir. Why, I testified yesterday that after the Senate chart had been prepared, after it had been made up and a proof had been obtained from the printer, that Col. Lydecker, the president of the league, sent for me and indicated those changes in pencil on the printer's proof and asked me if I would accept such an alteration, and that I told him I would, although it was very much against my own personal wish and judgment to do it; that I felt I had to do it because I was a spoke in the general wheel of the Security League.

Mr. SAUNDERS. Having in mind that you wanted to do the fair thing, why did you accept any such unfair suggestion as that?

Mr. ORTH. I did not regard it as unfair, sir; I did not regard Col. Lydecker was making a suggestion that was an unfair suggestion.

Mr. SAUNDERS. I am asking as to what was done, not Col. Lydecker's motives. Will you tell me why the Senate should not be appraised on its votes and held precisely to the same responsibility as the House?

Mr. ORTH. In my opinion they should, sir.

Mr. SAUNDERS. They should?

Mr. ORTH. Absolutely.

Mr. SAUNDERS. Then there should have been the same chart as to the one as to the other?

Mr. ORTH. Absolutely; I would have preferred it.

Mr. SAUNDERS. Then in your judgment, it was not fair to the House to send out these two charts?

Mr. ORTH. No, sir; that is not correct. In my judgment it was perfectly fair to the House.

Mr. SAUNDERS. You still think it was perfectly fair to the House to send out these two charts?

Mr. ORTH. Perfectly fair, sir.

Mr. SAUNDERS. Although you accorded an entirely different form to the Senate, and although you admit the House chart ought to have been prepared in the same way you still think that the House chart, sent out in the form in which you prepared it, was fair to the House?

Mr. ORTH. I think it was; and while there was a change in the phraseology, there was no change in the illustration created in the minds of the readers.

Mr. SAUNDERS. Then why do you say you did not agree personally with Col. Lydecker's suggestion, if it was a proper suggestion and did not operate unfairly to the House; why not agree to it?

Mr. ORTH. Because I think I am in the habit of using as direct language as possible, and I had a firmly fixed personal opinion on the subject.

Mr. SAUNDERS. And that is all I am getting at in this connection; and your firmly fixed opinion was that that suggestion was not a good one—Col. Lydecker's suggestion?

Mr. ORTH. No, sir; not that——

Mr. SAUNDERS. What was it?

Mr. ORTH. Not that it was not a good one, but that it was not as good as the way which I would have preferred.

Mr. SAUNDERS. Very well. Now, if the way you would have preferred *was a better way*, *what* was your reason for so thinking?

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Mr. ORTH. Because I believed that the two charts should be uniform and because I believed that the votes were either right or wrong, and I would have preferred to have so stated them.

Mr. SAUNDERS. Then you did agree to the suggestion from Col. Lydecker, that your judgment did not approve, because you thought that the Senate chart ought to have shown right and wrong, just the same as the House chart did?

Mr. ORTH. I deferred to the opinion of my colleagues, in the same way——

Mr. SAUNDERS. But your judgment did not assent to it?

Mr. ORTH. I beg your pardon?

Mr. SAUNDERS. But your judgment did not assent to it?

Mr. ORTH. My judgment assented to it; yes, sir, as far as it went. But I would have preferred to go further.

Mr. SAUNDERS. What do you mean by that, Mr. Orth? Now, either you thought that Col. Lydecker's suggestion was a good one or a bad one?

Mr. ORTH. No, sir; I did not think that Col. Lydecker's suggestion was a good one nor a bad one. There is white and black and there is gray—there are many gradations of color. To say there is only white and black is not correct.

Mr. SAUNDERS. What do you mean, then?

Mr. ORTH. I mean exactly what I have already said.

Mr. SAUNDERS. What have you said? I am trying to find out whether you thought Col. Lydecker's suggestion to prepare a different Senate chart from the chart prepared for the House was a good suggestion or a bad suggestion. We do not have to fence about that thing; you know whether you approved or disapproved it.

Mr. ORTH. I approved it as it went out, but I did not think it was good to the same degree as the House chart. But I did not regard it as bad by any manner of means.

Mr. SAUNDERS. What do you mean by saying it was not good to the same degree as the House chart; that it gave the Senate an advantage over the House in the ratings?

Mr. ORTH. I do not have any such comparison in mind, as to whether it gave the Senate an advantage over the House in the ratings.

Mr. SAUNDERS. Is this chart you sent out as to the Senate as fair a chart to the Senators as the House chart is to the House?

Mr. ORTH. I think so substantially.

Mr. SAUNDERS. And in your judgment, does it put the Senators on any more advantageous footing than it does the House?

Mr. ORTH. I do not think it does, sir, to any appreciable extent.

Mr. SAUNDERS. Do you think sending out a chart into a man's district in which you positively and decisively announce certain votes of his are bad and then ask the voters what they are going to do about it, does not put that man at a disadvantage as compared with another candidate in which you merely send out his votes and indicate that the man making them made speeches that qualified them so that you could draw no conclusions as to whether they were good or bad?

Mr. ORTH. I think, sir, it was a matter of fact and not a matter of my judgment.

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Mr. SAUNDERS. But you are preparing these charts with reference to their effect, and you had to determine their effect by your judgment.

Mr. ORTH. I was preparing the charts with reference to the facts.

Mr. SAUNDERS. Very well?

Mr. ORTH. And that was all, sir.

Mr. SAUNDERS. Then if you are preparing charts with reference to facts, why did you put in your opinion of the quality of those votes in the one chart and not in the other? That is a very simple question and there is no use in your fencing indefinitely about that. You are preparing the charts according to the effect, you say, and now tell me why in the House chart you had volunteered your opinion with respect to the quality of the votes of a Member of the House, and did not do that in the Senate?

Mr. ORTH. You refer to designating right and wrong and for and against?

Mr. SAUNDERS. Certainly.

Mr. ORTH. I have explained that very fully; I can not add anything to the facts.

Mr. SAUNDERS. You can not add anything to the facts?

Mr. ORTH. I can not add anything to the facts which I have already explained very fully.

Mr. SAUNDERS. You considered, then, in the House chart where you volunteered these opinions, that those were facts as to the right and wrong of the votes? I will put it up to you definitely.

Mr. ORTH. I think it was, sir.

Mr. SAUNDERS. Now, ought not the Senate chart to have had the same facts in it, as they were represented, as much as the House?

Mr. ORTH. I think the Senate chart substantially and in effect conveyed exactly the same thing.

Mr. SAUNDERS. Show me anywhere on the Senate chart that you have undertaken to show a designating mark opposite a Senator's name, which shows he voted right, and another mark which shows that he voted wrong?

Mr. ORTH. Any intelligent American——

Mr. SAUNDERS. I will ask the stenographer to read my question.

The STENOGRAPHER (reading): Show me anywhere on the Senate chart that you have undertaken to show a designating mark opposite a Senator's name, which shows he voted right, and another mark which shows that he voted wrong.

Mr. ORTH. Any intelligent American person who reads "Voted for preparedness in support of the war," and who reads "Voted against preparedness in support of the war," and finds that "A" indicates that he voted for preparedness in support of war, and "B" that he voted against preparedness in support of war, and finds in the chart below the letters "A" and "B," can not escape the conclusion whether a Member of the Senate voted right or wrong on those measures.

Mr. SAUNDERS. I did not ask you, Mr. Orth, for your conclusions. I asked you to point out in the Senate chart any language such as appears in the House chart, to the effect that a certain designating mark shows that a Senator voted right and another mark shows he voted wrong—whether or not there is any such language in the Senate chart?

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Mr. ORTH. That language, "right and wrong," does not appear in the Senate chart.

Mr. SAUNDERS. Very well. Why couldn't you have stated that in the beginning? I asked you that. I don't want to be spending the time of the committee and your time and my time in this sort of word fencing that leads nowhere. I only asked you for the specific answer to a specific inquiry of facts.

Now, show me anywhere in the Senate chart that you have propounded this interrogatory to the voters voting on the senatorial elections, namely, "What are you going to do about it?"

Mr. ORTH. Congressman, I want to say I am not attempting to fence; I am trying to answer your questions in the best possible way I know how, according to the facts.

Mr. SAUNDERS. Now, I ask you, then, to show me anywhere in the Senate chart any language to the effect I have just cited as appearing in the House chart.

Mr. ORTH. There is nothing in the Senate chart equivalent to "What are you going to do about it?"

Mr. SAUNDERS. And still you do not think that these charts are in anywise different in substance or that the one is more favorable to one collection of legislators than to the other? I just ask for your opinion on that.

Mr. ORTH. Distinctly, that there is no difference in substance.

Mr. SAUNDERS. I notice in your bulletin, in what I will call the "Miss Rankin bulletin," that you use the following language, referring to Representative Fuller—but before asking that quetsion, I will ask you this: Did you ever receive any communication from Congressman Fuller complaining that your chart did him an injustice?

Mr. ORTH. Congressman Fuller of Illinois, sir?

Mr. SAUNDERS. Yes; Congressman Fuller of Illinois.

Mr. ORTH. May I ask my assistant whether we ever did or not?

Mr. SAUNDERS. Yes.

Mr. ORTH. I can not recall the name, neither I nor my secretary remembers any letter from a Congressman Fuller. I might say that if any such letter exists, it is in the files of the league.

Mr. SAUNDERS. Now, it appears from this matter here that Congressman Fuller voted against the motion to lay the McLemore resolution on the table. In that connection you vouchsafe these comments on Mr. Fuller's action:

> Congressman Fuller voted against killing it (i. e., the McLemore resolution). To attempt to explain this damning fact by the technicality that he did not vote for it is dodging the issue. His claim that he then had the ulterior purpose of having it amended by eliminating its objectionable features shows that he was willing to take the chance of passing an infamous measure in order to get the opportunity of afterwards doctoring it into healthy and descent Americanism.

Now, that is exactly what seems to have been done by the Senators who voted to that effect against the Gore resolution, and yet you did not, in your chart, make any such comment as that upon the action of the Senators.

Mr. ORTH. We did not make any such comment——

Mr. SAUNDERS. Just a moment. On the contrary, with respect to the Senators, you use this language in your chart: "Immediately after *the vote* was announced a number of the Senators who voted against

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tabling the resolution made speeches explanatory of their votes which so modified or qualified their action that classification for the exact purpose of this record is impossible," which in effect is a defense of those Senators who cast those particular votes. Why did you not, in reference to those Senators, say that their effort to explain the damning fact of their votes by a technicality was dodging the issue and that their claim that they had the ulterior purpose of having it amended by eliminating its objectionable features shows that they were willing to take the chance of passing an infamous measure in order to get the opportunity afterwards of doctoring it into healthy and decent Americanism? Why not the same comment upon the Senators doing precisely the same thing as certain House Members did in order to be perfectly fair to all?

Mr. ORTH. Congressman, I must admit it is physically and mentally impossible for me to remember all your question.

Mr. SAUNDERS. I will have the question read to you; you do not need to burden your mind to remember it.

Mr. ORTH. Pardon me; before we waste any time, see if my answer is a reply or not. The extract which you have read with regard to the vote of some Members of the House of Representatives on the McLemore resolution did not appear in the chart, and you are asking me why we did not put the similar language in the Senate chart; it was manifestly impossible.

Mr. SAUNDERS. Why?

Mr. ORTH. Why, on account of the fact——

Mr. SAUNDERS. You offer a partial defense of the Senators in the comments that you volunteered in your chart.

Mr. ORTH. We would have stated it in the same manner and in the same circumstances, or approximately in the same circumstances, with regard to a Senator as we would with regard to a Member of the House of Representatives.

Mr. SAUNDERS. I ask you again: You volunteer a partial defense for the Senators on the ground that they had qualified their vote by the speeches that they made, and yet with respect to the House Member who undertakes to explain his vote of precisely the same character, you say that he was dodging the issue?

Mr. ORTH. As nearly as I can understand what you are trying to get at, sir, I would say at the same place, namely, where the question came up actively between a Senator and his constituents or between his constituents and the National Security League, we would have said the same thing.

Mr. SAUNDERS. Did you put out any of this informative literature in 1916?

Mr. ORTH. I was not connected with the National Security League at that time.

Mr. SAUNDERS. You do not know anything about that, then?

Mr. ORTH. Only what I testified to yesterday when I put in evidence a pamphlet published on July 1, 1916, containing the four measures on preparedness in the House chart.

Mr. SAUNDERS. I notice you speak with very great confidence with respect to the attitude of the people of the country on the various measures that we have had to deal with. How did your league ascertain this attitude, and how were you in a position to announce it with such *certainty?*

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Mr. ORTH. Why, I repeat substantially what I said yesterday—that so far as the preparedness measures were concerned, the league had been active in disseminating the votes on those in 1916; had also, I believe, requested its members to write to their Representatives and Senators regarding them; that with regard to the preparedness measures and all the other measures, we had read very fully in the press of the country the attitude of the people on those measures.

Mr. SAUNDERS. Mr. Orth, you people who live in New York and read your New York papers—what do you say of the press of the country?

Mr. ORTH. Why, I think that a great many men in New York are keenly alive to the fact that the New York press does not represent the opinion of the entire country, except sometimes by chance. And I beg to assure you that we do not rely upon any such reason as that.

Mr. SAUNDERS. Do you know a single newspaper in the State of Virginia?

Mr. ORTH. I can not recall the names, but I do know of my own knowledge and have known in the past of my own knowledge of a number of newspapers.

Mr. SAUNDERS. Could you name one?

Mr. ORTH. I should say the Richmond Dispatch, according to my best memory, was one.

Mr. SAUNDERS. Do you think by reading the Richmond Dispatch, which was another one of those so-called metropolitan papers, you could form any idea of the attitude of the people of Virginia?

Mr. ORTH. No; I do not; but I think it reflects to some extent the attitude of the Richmond people.

Mr. SAUNDERS. The Richmond people; very distinctly so. And what is true with respect to Virginia is also true with reference to the rest of the country?

Mr. ORTH. I should think so.

Mr. SAUNDERS. And yet you announce to the people of the country with the greatest of confidence the attitude of the entire country, and reach their loyalty by what you say that attitude is. Why do you think the Members of Congress would not desire to conform their attitude to the attitude of their immediate constituents?

Mr. ORTH. Your question, sir, has implied a number of things which are not quite correct.

Mr. SAUNDERS. I will ask you a distinct question. Why do you imagine Members of Congress, with respect to any public question, would not seek to be in accord with the attitude of the people who sent them to Congress?

Mr. ORTH. Why, I think that in practically all cases the Members of Congress desire very strongly to be in accord with the opinion of the people who sent them to Congress, and that on questions which are national, distinctly national in their scope, that that is a perfectly proper and correct thing to do—which nobody could criticize or quarrel with.

Mr. SAUNDERS. Then, with respect to what the people of the country are thinking on any public question, can it not be ascertained from the aggregate of Congressmen more nearly than from any other aggregate of men in the country?

Mr. ORTH. Why, if the Congressmen were to confer together, as *you told me* a few moments ago they did not, I should think it could.

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Mr. SAUNDERS. What I am trying to get at, Mr. Orth, is this ascertainment of public opinion.

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Now, whether with respect to national questions or to other questions, I repeat my question: Are not Members of Congress in a better position to know what the people in their districts are thinking, than are any other people in the country?

Mr. ORTH. The Members of Congress are, undoubtedly, in a better position to know what the people of their respective districts are thinking than anybody else, surely.

Mr. SAUNDERS. And the aggregate of those districts, therefore, agreeing as to any one proposition, would show you what the aggregate of the country is thinking on that proposition?

Mr. ORTH. Not necessarily, as far as I can visage the problem.

Mr. SAUNDERS. Why not; if the majority opinion of the country, ascertained through the districts, is in favor of a certain policy, you have arrived at what the majority of the people are thinking.

Mr. ORTH. Why, I think it does not represent what the majority of all the people are thinking; because one Congressman does not represent by any manner of means what another one does——

Mr. SAUNDERS. That may be true.

Mr. ORTH (continuing). When you refer to a majority of the people——

Mr. SAUNDERS. When you get the majority of the country, speaking from the districts, you have a majority of the sentiment of the country, haven't you?

Mr. ORTH. Why, I think——

Mr. SAUNDERS. We won't follow that up if you think there is any difficulty about it.

Mr. ORTH. I am very anxious to make an explanation. You are apparently trying to arrive at how the National Security League got the opinion of the people of the country?

Mr. SAUNDERS. I certainly am.

Mr. ORTH. I have not been permitted to state the facts in full.

Mr. SAUNDERS. State anything you want to.

Mr. ORTH. I want to say for the information of the committee that the National Security League has a publicity director, whose business it is to secure clippings on topics of public interest and especially those with which the National Security League deals, from the newspapers in every part of the country, and that such clippings which come to the National Security League aggregate many, many thousands, and that they are read not only by the publicity director but they are read by the heads of the various departments of the league, and they are separated and allocated to the various departments, in addition to which—I can only, in this respect, speak for myself—I have always been very careful to try to get some idea of what the country was thinking by carefully reading such newspapers as the Literary Digest, and the Current Opinion, whose sole business it is to get the expressions of the people of the entire country on any one subject, in exactly the same manner, for instance, as the Literary Digest, in February, 1916, obtained a consensus of opinion on the question of preparedness, getting their views from 500 newspapers in every State of the Union.

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Mr. SAUNDERS. You do not mean that 500 newspapers in every State?

Mr. ORTH. No; from a total of 500 newspapers distributed in every State in the Union.

Mr. SAUNDERS. Now, Mr. Orth, that would give you the opinion of the 500 editors as to public sentiment. What a pitifully small proportion of the country that is.

Mr. ORTH. In that particular instance it would be; yes.

Mr. SAUNDERS. And you are getting in them simply the opinions of those editors?

Mr. ORTH. Yes; but I think have already agreed in the case of the Richmond Dispatch, the opinion of that paper was illustrative of the opinion of the people of Richmond.

Mr. SAUNDERS. Oh, yes; to that extent. Now these papers that are largely formative of the opinion of public sentiment in the States are the smaller papers, chiefly what we call the local papers, the county papers, and triweekly papers, have you ever seen any of those papers cited in your Literary Digest? I read it as regularly as you do——

Mr. ORTH. I imagine very few of them, sir.

Mr. SAUNDERS. And there is a great mass of information that is available to the Members from each district that never reaches your city papers and they are papers which ascertain the public attitude?

Mr. ORTH. That is correct.

Mr. SAUNDERS. And yet you tell us with the greatest confidence what our people are thinking and what their attitude is?

Mr. ORTH. That is correct; but, on the other hand, there is no part of the United States where the large newspapers in the towns adjacent to the large cities do not distribute them very largely amongst the people of those districts.

Mr. SAUNDERS. But how does the distribution amongst the people of the districts ascertain the attitude of the individuals of the districts?

Mr. ORTH. I think substantially they work together, sir; that the minds of the people are not very long in disagreement or vice versa.

Mr. SAUNDERS. In other words, when the metropolitan papers go into our districts they adopt an attitude and our people follow it?

Mr. ORTH. Not our metropolitan papers, but when the Richmond papers go into the Richmond district, I think so.

Mr. SAUNDERS. I will take an illustration along that line. First, you admit, I believe, that we Members of Congress ought to defer to a certain extent to the wishes of the people who send us here and who give us the opportunity to have any say or voice in public matters. What are these national questions with respect to which we must submerge the wishes of our people and listen to outside voices?

Mr. ORTH. They are typified somewhat by the measures in the chart.

Mr. SAUNDERS. Tell me some.

Mr. ORTH. The McLemore resolution.

Mr. SAUNDERS. That affected the whole United States?

Mr. ORTH. Preparedness measures, Cooper amendment, declaration of war, selective conscription.

Mr. SAUNDERS. Have you any more?

Mr. ORTH. Not on hand at the moment. I have no doubt I could find a few more.

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Mr. SAUNDERS. May I ask you whether national prohibition is a national question with respect to which the individual Congressman ought to submerge his attitude derived from the people of his district and conform to the wishes of the entire country?

Mr. ORTH. I want to say, sir, I do not pose as an expert of all these things.

Mr. SAUNDERS. You have volunteered a pretty broad opinion on most things. Tell me whether national prohibition is not a nation-wide proposition.

Mr. ORTH. I have volunteered a pretty broad opinion on everything connected with the educational "win the war" program of the National Security League. That does not qualify me to talk on everything else. If you are at all interested in my opinions, I will give them to you.

Mr. SAUNDERS. Yes. You said a moment ago that you considered a Congressman from any district, when it came to a nation-wide proposition, ought to vote with the nation-wide view and not in conformity with the wishes of his constituents.

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Now, I ask you whether nation-wide prohibition is not a policy of that sort?

Mr. ORTH. Why, I should say so; yes, sir.

Mr. SAUNDERS. Then the Members from your metropolitan city of New York are certainly disloyal in opposing nation-wide prohibition, are they not?

Mr. ORTH. I do not know whether they are disloyal.

Mr. SAUNDERS. According to your definition of loyalty, they are.

Mr. ORTH. They are disloyal in that sense; yes.

Mr. SAUNDERS. They are disloyal?

Mr. ORTH. Yes; when the overwhelming opinion of the people of the United States is found to be in favor of prohibition, they are disloyal; in that sense they are.

Mr. SAUNDERS. Have you any doubt, in view of what is going on at the present time, what is the attitude of the people of the United States?

Mr. ORTH. No, sir; I have not.

Mr. SAUNDERS. You haven't any doubt on that subject?

Mr. ORTH. I haven't any doubt.

Mr. SAUNDERS. Then, you have a pretty disloyal bunch in New York, because they are supporting the wishes of their local constituents against the national attitude? Isn't that true, now, according to your definition of loyalty as applied to the fact in the case?

Mr. ORTH. Yes, sir; if you consider that word is in any way applicable to the question which you are asking. I do not.

Mr. SAUNDERS. I think it is very applicable to the question I am asking.

Mr. ORTH. I do not agree with you, sir.

Mr. SAUNDERS. Here you have a nation-wide proposition on which you ventured a definition of loyalty yesterday; I am simply applying it. Now, I would like to ask you this question, Mr. Orth: Was not the passage of a revenue bill that was necessary to finance the war, and therefore to win it, a very necessary bill?

Mr. ORTH. Yes, sir.

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Mr. SAUNDERS. Wasn't the sentiment of the American people in favor of that bill?

Mr. ORTH. It was.

Mr. SAUNDERS. Wasn't a man, therefore, voting against that bill disloyal?

Mr. ORTH. Why, I should say the answer to that question is yes, in the way we have discussed it this morning.

Mr. SAUNDERS. Well, we agree he was disloyal. What is more essential to the winning of the war than the financing of it?

Mr. ORTH. Why, preparing the soldiers for the front.

Mr. SAUNDERS. If you prepared them and did not finance them you would not get anywhere. There are other things, I will admit, which are just as essential, but was there anything more essential than properly financing the conduct of the war?

Mr. ORTH. Yes, sir; properly preparing the soldiers.

Mr. SAUNDERS. You think so? Well, if we had properly prepared our soldiers in this fight and then provided no funds with which to transport them to the scene of fighting, I would like to know what America would have accomplished in the European war?

Mr. ORTH. Why, you would have to provide funds, sir, because you would have been driven to that by the overwhelming opinion of the people of the country.

Mr. SAUNDERS. Of course. I am not asking you about that; I am asking you what is more essential, as part of war preparations, than the financing of the war?

Mr. ORTH. My opinion is preparing the soldiers for the front.

Mr. SAUNDERS. Very well, if you believe that.

Mr. ORTH. I do believe that, unquestionably; otherwise I would not state it.

Mr. SAUNDERS. Is there anything else more important? You have named one thing which you think more important than financing the war, and that is preparing the soldiers. Is there anything else you think is more important?

Mr. ORTH. Will you please read the question.

The STENOGRAPHER. (Reading:)

Is there anything else more important? You have named one thing which you think more important than financing the war, and that is preparing the soldiers. Is there anything else you think is more important?

Mr. ORTH. I do not think of anything else at the present moment. There may be other things.

Mr. SAUNDERS. Was the Brandegee amendment to the Hay-Chamberlain bill more important with respect to the winning of this war than the measure to finance the same?

Mr. ORTH. I do not see—I am not able to make any comparison between the two, sir. They were measures at entirely different times under entirely different circumstances and they are not comparable.

Mr. SAUNDERS. They were. Was the motion to recommit the naval appropriation bill, in connection now with the winning of this war, as necessary as the bill to provide adequate and sufficient funds with which to conduct it?

Mr. ORTH. My answer is the same as to the previous question.

Mr. SAUNDERS. That is, they are not comparable?

Mr. ORTH. They are not comparable on account of the difference in circumstances and the difference in time.

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Mr. SAUNDERS. You are in this position, that you won't undertake to say whether a vote on the Brandegee amendment on the volunteer reserve army, or to recommittee the naval appropriation bill was as important as a vote on the bill to provide the funds with which to win the war? You are willing to leave yourself in that fix? [After a pause.] If you are, I am not——

Mr. ORTH. Why, I think that the votes on the preparedness measures incorporated in the chart at the time that those votes were cast were the most important votes that were before he House of Representatives, in the same way that the revenue bill was the most important vote before the House of Representatives at the time it was voted on in the House of Representatives.

Mr. SAUNDERS. All right; I am willing for you to put it that way. Then at the time the votes on the revenue bill were cast, that was the most important proposition then before Congress?

Mr. ORTH. I think so; yes, sir.

Mr. SAUNDERS. The country was unanimously in favor of it, you say, and a vote against it was a loyal vote. Now, having that in mind, will you tell me why when you were preparing this chart you did not give the votes of the Members on the war revenue bill?

Mr. ORTH. Why, because the best, sincere, judgment of the congressional committee and the people with whom it consulted was that the chart should properly end with the votes which Members of Congress cast, as it were, of their own volition, before the tremendous driving force of public opinion of the people of the United States of America carried it by Congress and carried it for them.

Mr. SAUNDERS. I am very glad to have you put it that way; it seems to me you get yourself in a little deeper trouble.

Mr. ORTH. I am only stating the facts: it is not a question of my getting in trouble.

Mr. SAUNDERS. Then, after the driving force began and the necessity for the passage of an appropriate revenue bill was apparent, the man who still votes against such a bill was in a pretty bad plight, was he not?

Mr. ORTH. I should say it was so under the same circumstances, sir.

Mr. SAUNDERS. What circumstances would justify a man when his country was in the predicament you described, when these driving circumstnces were behind him to make him vote for the support of the war—what circumstances behind him would make him vote against that bill?

Mr. ORTH. Conceivably he wanted more.

Mr. SAUNDERS. Very well; then all of us who voted against preparedness were justified because we wanted more?

Mr. ORTH. No; because you did not want enough.

Mr. SAUNDERS. What about the fellow who voted against the revenue bill?

Mr. ORTH. One is fact, sir, and one supposition.

Mr. SAUNDERS. Both are suppositions; what is the difference between them? Suppose you take the recess to reflect over the difficulty in which you find yourself?

(Thereupon, at 12.30 o'clock p. m., a recess was taken until 1.30 o'clock p. m.)

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AFTER RECESS.

The committee reconvened pursuant to the taking of the recess, at 1.30 o'clock p. m.

TESTIMONY OF MR. CHARLES D. ORTH—Resumed.

Mr. SAUNDERS. Mr. Orth, you were describing on yesterday the difficulties that you had in placing your charts in the hands of Members of Congress and the efforts that you made to reach them Members by communicating with the political committees in the various States. Will you tell me why you did not take the plain and direct way of getting a Congressional Directory, which affords the addresses of Members of Congress, and just mail the charts out to the Members? That seems to be a very natural and simple thing to do, if you wanted to reach them.

Mr. ORTH. Why, because my thought at the time took the direction it did. For some reason or other, I can not explain why—simply the fact my thought had to do with congressional districts in various parts of the country and I thought that by getting the names of the committeemen of each party I could make sure of getting it before the congressional candidates, and I made an effort to get that.

Mr. SAUNDERS. But the simplest way was simply to take our Congressional Directory and take the names of the Members of Congress and the addresses from that, and send the chart to them direct?

Mr. ORTH. That may have been. I am simply trying to explain the fact to you of what my thought was at the time it was done.

Mr. SAUNDERS. I am just trying to find out why an informative organization like yours did not place the information in the hands of those whose names appeared on the charts you were sending out.

Now, you mentioned on yesterday that you had no cooperation, direct or indirect, express or implied, at any time with any political manager or representative of any kind and no head or any political organization or member of any political organization, directly or indirectly had "anything whatsoever to do with our work." Now, when you were sending out your National Security League bulletins, stating that Miss Rankin was opposed in the Senate race by the National Security League and that you were prosecuting an aggressive movement throughout the country to assure the election to Congress of candidates of demonstrated loyalty and ability—placed yourself on record with reference to the senatorial candidacy of Miss Jeannette Rankin—do you mean to say that you did not put yourself into cooperation with the political opposition to Miss Rankin?

Mr. ORTH. Why, I mean to say that we did not in that respect do anything essentially different from what we did with respect to all our other congressional work, sir.

Mr. SAUNDERS. You did not get in touch with the opposition to Miss Rankin in any way?

Mr. ORTH. We got in touch with the opposition to Miss Rankin in the same way we might have been said to have gotten in touch with the opposition to any candidate.

Mr. SAUNDERS. In other words, you took the matter up with those *who were fighting* them?

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Mr. ORTH. In no case that I can recall did we do any such thing. The National Security League, in all its presentations, adopted the methods which I have already described to the committee in full. We never took up any discussion with political organizations or with candidates themselves, except to the best of my recollection where those candidates attacked the Security League or its actions.

Mr. SAUNDERS. Miss Rankin had opposition, did she not?

Mr. ORTH. I think so, sir.

Mr. SAUNDERS. You do not care to make a more definite statement than that?

Mr. ORTH. Than that I think she did?

Mr. SAUNDERS. Yes.

Mr. ORTH. I am almost certain that she did. I knew at the time, if that is more illuminative.

Mr. SAUNDERS. Don't you know now that she had opposition, Mr. Orth?

Mr. ORTH. I think, in view of your further question, I do; yes.

Mr. SAUNDERS. According to the program you announced, if she had not had opposition, you would not have been engaged in making a fight against her?

Mr. ORTH. Yes; that is practically correct.

Mr. SAUNDERS. Now, I see here that there was some one from Montana that was calling on you for some help in respect to this opposition to Miss Rankin, which you were affording: You still have in mind that that activity was not getting into the local politics?

Mr. ORTH. The National Security League never denied any request from whomsoever received for any of its publications or for statement regarding its attitude or actions in the educational campaign which it was conducting. It had no right to discriminate between any of the citizens of the United States whatsoever.

Mr. SAUNDERS. What is your definition of politics, a political campaign?

Mr. ORTH. The definition of politics in the sense in which the National Security League might be said to have had any politics; that it had to do with politics in so far as they related to public policies, and that the National Security League never at any time to my knowledge had any thought, desire, nor intention of engaging in politics in the manner in which that was ordinarily accepted in general conversation.

Mr. SAUNDERS. In other words, you had your own special league definition of politics, just as you have of loyalty, treasonable pork, and proletarian?

Mr. ORTH. You are asking me questions now about which I have not testified, and I am not qualified to answer them.

Mr. SAUNDERS. You have furnished a definition of loyalty?

Mr. ORTH. Yes; I have furnished a definition of loyalty.

Mr. SAUNDERS. And you are aware that Col. Lydecker furnished a definition of proletarian and Mr. Stanwood Menken had a very involved and intricate definition of treasonable pork. I am just asking you whether you also have a special definition for politics?

Mr. ORTH. Why, no, sir. I am not certain, but I think the definition I have given will be found in the Standard Dictionary.

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Mr. SAUNDERS. I would like to file in this connection the accepted definition of politics from Webster's International Dictionary:

Political, *a.* (See Politic.)
1. Of or pertaining to polity, or politics, or the conduct of government, referring in the widest application to the judicial, executive, and legislative branches; of or pertaining to, or incidental to, the exercise of the functions vested in those charged with the conduct of government; relating to the management of affairs of state; as, political theories.
2. Having, or conforming to, a polity, or settled system of administration; as, a political body or government.
3. Of or pertaining to the exercise of the rights and privileges or the influence by which the individuals of a State seek to determine or control its public policy; having to do with the organization or action of individuals, parties or interests that seek to control the appointment or action of those who manage the affairs of a state; as, his political affiliations were with the Republicans.
4. Of or pertaining to those who make a business or profession of politics, or politicians in their partisan activities; as, he is actuated by merely political motives.

Mr. ORTH. I beg leave to also file a definition of politics from authorities.

Mr. SAUNDERS. Mr. Orth, you were asked yesterday by Mr. Browne why you had political notations in respect to your lists of names of the Members of Congress, and you say that that was because for one purpose only, because there was no other way of determining how close or otherwise the vote was. And in respect to the parties and their reason on that, that question seems to me to be a little complicated. Why couldn't you have given, with respect to their district, the majority in their district, without naming the politics of the man, but just give the majority?

Mr. ORTH. Why, that could have been done. It does not change the fact that the way in which I did it was honestly and sincerely done for the reasons, and for the reasons only, I have stated.

Mr. SAUNDERS. I have not said anything about your sincerity of purpose; but I am just asking you how putting down the politics of a man gave any clue as to whether the district was close or otherwise?

Mr. ORTH. Why, it was simply put down to make the figures intelligible; that is all—to help make the figures more intelligible.

Mr. SAUNDERS. How did that make it more intelligible, as showing whether it was or was not a close district?

Mr. ORTH. In the same way it made it intelligible in the third Illinois, to which I think this morning you called particular attention.

Mr. SAUNDERS. I did not say a word; I got my figures and got my results there and never said a word about the politics of anybody.

Mr. ORTH. I can not explain any further, except to say——

Mr. SAUNDERS. The figures showed whether it was a close district or not; how did putting the politics of the candidate—the sitting Member—throw any light on whether it was a close district or not?

Mr. ORTH. Why, the question of whether it was a close district or not could have been arrived at without putting in the politics, but it never occurred to me to do it in that manner, and I simply copied down the contents of the World Almanac with respect to the vote. And I want to say very distinctly, very strongly, that in doing so I now deny anybody connected with the National Security League had the slightest thought of partisan politics at that or at any other time. *And I can not impress that too strongly on the members of your committee.*

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Mr. SAUNDERS. No; I know that the league disclaims anything like partisan politics and indicates a most cold-blooded attitude so far as your league is concerned toward anything like partisan politics; but that has not yet afforded the explanation or furnished the reason why the citation of politics of the Members from these districts aided you in determining whether it was or was not a close district.

Mr. ORTH. Why, I can only say to that, Congressman, that I did a simple and natural thing.

Mr. SAUNDERS. Well, now, let us see whether it was a simple and natural thing to do or not, having in mind that you merely wanted to show whether it was a close district. I asked you, for instance, taking an illustration from North Carolina, about Mr. Stedman's district, and you indicated that that was one of the close districts. You did not say anything about whether Mr. Stedman was a Democrat or Republican. If you had included in your answer that Mr. Stedman was a Democrat, would that have thrown any light whatever on the fact as to whether that district was or was not close?

Mr. ORTH. Certainly not.

Mr. SAUNDERS. Then in including the political complexion of those people, you did not in any wise aid your avowed purpose of showing that a district was or was not close?

Mr. ORTH. In including the political complexion in what, sir?

Mr. SAUNDERS. On the names stated in the list you referred to yesterday.

Mr. ORTH. No, sir; I simply copied the authority from which I got my figures.

Mr. SAUNDERS. Yes; and you afforded as a reason to Mr. Brown yesterday for putting in the politics of those people that it was an aid in determining whether the district was or was not close.

Mr. ORTH. I think you have a mistaken impression, sir, from my answer, if I understood you correctly.

Mr. SAUNDERS. I will just read the answer again; I am just going by the stenographer's record: Why this statement of the list of names gives the party which I wish to explain was only put down because there was no other way of determining how close or otherwise the vote was. You seemed to make it quite a valuable item, in determining how close a vote it was, to put down the party affiliations of those people.

Mr. ORTH. I think, sir, that you understand exactly what I meant by that.

Mr. SAUNDERS. Well, will you explain what you meant by that?

Mr. ORTH. I am sorry; it is very difficult to explain those very fine shades of meaning which are brought out by the very refined cross-examination; but I am really only in all honesty trying to convince this committe of the facts of the case and the perfect sincerity of the league and of myself in carrying out the facts as I have described them.

Mr. SAUNDERS. Are you still of the opinion in respect to those districts that were selected as close districts, that there was no other way of determining how close the vote was in those districts save by giving the politics of the candidates?

Mr. ORTH. No; and I think that the question is immaterial.

Mr. SAUNDERS. That may be; but it is your answer. It may be an *immaterial answer.*

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Mr. ORTH. I have already answered that, and I told you I simply copied down the authority from which I was copying as it appears in the World Almanac.

Mr. SAUNDERS. I will read the answer again. The statement giving the party, which I wish to explain was only put down because there was no other way of determining how close or otherwise the vote was.

Mr. ORTH. Yes, substantially; and in order to make——

Mr. SAUNDERS. Oh, you could not give the figures?

Mr. ORTH. I beg pardon; I had not finished; and in order to make the tabulation intelligible.

Mr. SAUNDERS. But you could not give the figures which determine the vote of that district, which determine whether it was or was not close, and thereby determine the fact, without stating the party attitude of the individuals?

Mr. ORTH. No; it could have been done in the way you say; I quite freely admit that. But it did not occur to me, and I had no purpose whatever in putting down the party in connection with the vote.

Mr. SAUNDERS. In your statement yesterday you used this language, in response to a question by Mr. Browne: If you are a practical patriot, work hard in the ways that we have indicated; get your friends to do the same thing; go to the polls and elect the right man. That is not dipping into local politics?

Mr. ORTH. No, sir; that is educating the citizens in their duties.

Mr. SAUNDERS. But you seemed to be dealing with a practical proposition; you say "If you are a practical patriot."

Mr. ORTH. All right, sir; the citizen who got that determines that for him or herself.

Mr. SAUNDERS. Now, here you issue a chart which is intended to apprise the people who should and who should not be elected, and then you say to the workers, the practical workers in that district—I believe that is what is called a practical politician, which you had in mind, as I remember—if you are a patriot, work hard in the ways that we have indicated; get your friends to do the same thing. What are the ways that you indicated to those practical patriots to elect the right man?

Mr. ORTH. The assumptions which you have indicated in your question are not correct. The ways that we indicated to practical patriots, not to practical politicians or practical workers, which you term them, with which I distinctly disagree, were indicated in the documents in which that language was used.

Mr. SAUNDERS. What were they?

Mr. ORTH. You have not asked for it, but there is the World Almanac from which we copied those votes.

Mr. SAUNDERS. I did not raise any question how you copied the votes; I am just asking how the statement of the party aided to illuminate the figures. I am not asking you how you got those votes, but I asked you if you could not have gotten those votes out of the Congressional Directory.

Mr. ORTH. I made the facts clear about that. No; I could not have gotten the votes out of the Congressional Directory, I do not think, Congressman. In many cases the Congressional Directory does not give the Socialist record. I do not believe the Congressional Directory gives the Socialist figures, for instance. I may be wrong about that.

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Mr. SAUNDERS. Sometimes it does and sometimes it does not.

Mr. ORTH. Then it would not have been as complete as the World Almanac was.

Mr. SAUNDERS. It depends upon the cases you are talking about.

Mr. ORTH. We were applying it to every case in the 435 districts.

Mr. SAUNDERS. What districts did you select in Nebraska for intensive educational activities?

Mr. ORTH [examining papers]. The third and fifth, close districts; and the first, second, and sixth, not close.

Mr. HARRISON. Does that include Mr. Reavis's district?

Mr. ORTH. Yes, sir; the first.

Mr. SAUNDERS. That comprehended, then, the whole Nebraska delegation that had made a record and were candidates for reelection?

Mr. ORTH. Yes, sir; that included—that is correct, and who were candidates for reelection.

Mr. REAVIS. As I understood the answer to that question, it did not include all the districts?

Mr. SAUNDERS. All in which the candidates were for reelection. Sloan had a pretty bad record, but he was running for the Senate?

Mr. REAVIS. You mean Mr. Sloan had a bad record according to the standards laid down by the National Security League?

Mr. SAUNDERS. Always.

Mr. REAVIS. I want that to appear in the record, because Mr. Sloan is wearing some gold stars, and I would not want it to appear in this record that his record was bad.

Mr. SAUNDERS. I will accept that, and I will include it in my statement.

Did you select anybody in South Dakota for an intensive campaign?

Mr. ORTH. South Dakota? The third, close; and the second, not close.

Mr. SAUNDERS. You selected the second?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. And at the very time you were waging an intensive campaign in the second district against Mr. Johnson, he was in the trenches in Europe. Was your league aware of that fact?

Mr. ORTH. I subsequently became aware of it; at least I subsequently became aware of the fact that Mr. Johnson had entered the service and done creditable and honorable work. I did not know of it at the time.

Mr. SAUNDERS. When you ascertained in the course of your intensive activities against Mr. Johnson, that he was a soldier in the American Army and at that time fighting in France, did you withdraw your activities?

Mr. ORTH. No, sir. We did nothing except to present Mr. Johnson's actual votes, and we could not withdraw those.

Mr. SAUNDERS. But in Johnson's case it must have been something more than that, because you said he was selected for an intensive political campaign?

Mr. ORTH. Mr. Johnson, the individual, was not selected for the intensive campaign; that district, coming within the mathematical limitations which I have tried to outline to you, automatically was classified.

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Mr. SAUNDERS. I do not say more than the fact that Mr. Johnson's district, by reason of his record, was selected for an intensive political campaign?

Mr. ORTH. You said Mr. Johnson before. If you now mean to change it to Mr. Johnson's district, that is quite correct, sir.

Mr. SAUNDERS. I will modify it and say Mr. Johnson's district. And Mr. Johnson's district was selected for an intensive political campaign, I imagine, because of the fact of the record Mr. Johnson had made, wasn't it?

Mr. ORTH. It was selected on account of his votes in Congress.

Mr. SAUNDERS. I say, by reason of the record he had made?

Mr. ORTH. Yes.

Mr. SAUNDERS. And yet at the very time this man with this record was fighting for his country in France, and your league was aware of it, you did not call off your intensive activities?

Mr. ORTH. I did not say our league was aware of it at the time.

Mr. SAUNDERS. When was it aware of it?

Mr. ORTH. Why, according to my best recollection and belief, I became aware of it upon reading the fact in the Congressional Record comparatively recently. I believe that——

Mr. SAUNDERS. You would not wish to put an educational and informative organization like your league in the situation that you were waging an intensive campaign in a man's district and were not aware at that time that he was fighting in the service of his country abroad?

Mr. ORTH. No, sir; I would only wish to put the National Security League and my work in the position which I have indicated, that we proceeded along certain fixed lines of limitations and we did not consider that we were at liberty to exercise our judgment as to the variations, exceptions, immunities, etc.

Mr. SAUNDERS. The fact is, then, if you had known that Johnson was in the trenches in Europe, you would have continued your intensive warfare because you could not have made an exception in his favor?

Mr. ORTH. No, sir; I think if anybody had written us about that, that we would have been glad to have stated in anything that we published in connection with that particular district—the questionnaire was sent out specifically to cover exceptions and to enable candidates to state their own case; and if Mr. Johnson had elected to run for Congress again, somebody must have represented him in that district and must have received the questionnaire.

Mr. SAUNDERS. Then, if you had been aware of the fact that he was, in spite of his record, at that time fighting in France, you would have made an exception in his favor and withdrawn your intensive activities?

Mr. ORTH. We would have stated the facts which were presented to us in his case, as we did in every one of the 94 cases in which we waged an intensive campaign.

Mr. SAUNDERS. That is not exactly what I have asked you. I asked you—now you had selected this district for an intense campaign—and my question is, If you had been aware of the fact that Mr. Johnson was at that time and during the progress of that campaign in the trenches of France, would you have withdrawn the intensity of that campaign from his district?

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Mr. ORTH. No, sir; we would have merely stated the facts as they were given to us, the same as we stated the facts in all of the other 94 districts.

Mr. SAUNDERS. In other words, you would have made no difference in your campaign, if you had been aware he was fighting in France?

Mr. ORTH. We would have made no difference in our method of presenting the facts, sir. The facts would speak for themselves.

Mr. SAUNDERS. I am asking you if you would have made any difference. I do not know what you mean by intense political campaign.

Mr. ORTH. I did not say intense; I said intensive.

Mr. SAUNDERS. Intensive campaign; but certainly you make a distinction between that and other activities of your league; and I am asking if you had been aware that Mr. Johnson at the time you were conducting this intensive campaign, was fighting in the trenches in France, would you have withdrawn those intensive activities? That is all I am asking.

Mr. ORTH. We would have merely added the statement of fact to the others that were given to us in the presentations we would make.

Mr. SAUNDERS. What other fact was given to you? The only fact I have predicated my question on was knowledge he was in the trenches.

Mr. ORTH. I say if that had been communicated to us in the form of the questionnaire or any other form, we would have added it to the announcements we were making in that district.

Mr. SAUNDERS. Is this what you mean to say, that if you had been aware of that fact, you would have continued your intensive activities, but added to them the statement you understood Mr. Johnson was "at this time a soldier in France"?

Mr. ORTH. We would have stated we understood Mr. Johnson was at that time a soldier in France, and made any statement that Mr. Johnson or his representative desired to make in connection with the facts in the case.

Mr. SAUNDERS. Suppose you did not make any statement; simply the fact came to your attention that he was a soldier in France?

Mr. ORTH. Why, I think if such a thing had happened I would probably have put it up to the president of the league or the executive committee and asked for instructions as to what to do, if anything.

Mr. SAUNDERS. What to do, if anything. But as it is, you state that you were conducting this intensive campaign in Mr. Johnson's district in utter ignorance of the fact at that time he was not in the United States but was in the trenches in Europe?

Mr. ORTH. That is my knowledge and belief, sir, at the time.

Mr. SAUNDERS. Was it your understanding that the Kahn amendment cut off volunteering?

Mr. ORTH. I beg your pardon.

Mr. SAUNDERS. I say, was it your understanding that the Kahn amendment cut off volunteering?

Mr. ORTH. I am very sorry—is it common men?

Mr. SAUNDERS. No; did the Kahn amendment, the Kahn amendment, cut off volunteering?

Mr. ORTH. Why, I so stated yesterday.

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Mr. SAUNDERS. You do not know what proportion of men entered the military service of the United States after the passage of that bill, which included the Kahn amendment, as volunteers?

Mr. ORTH. No, sir; I do not.

Mr. SAUNDERS. You would be surprised to know that it was a very large number of them, wouldn't you?

Mr. ORTH. Why, I don't know. I could only state my feelings after I knew the facts.

Mr. SAUNDERS. If it was a large number, you would be surprised!

Mr. ORTH. If it was a large number of volunteers that entered after the passage of the act?

Mr. SAUNDERS. If a large number of volunteers are in the Army of the United States to-day, in spite of the fact of the passage of the Kahn amendment?

Mr. ORTH. No, sir; I would not be surprised, because it is a matter of common knowledge that there are a number of volunteers in the service of the United States.

Mr. SAUNDERS. That came in after the Kahn amendment?

Mr. ORTH. I would be surprised if any substantial number of volunteers came in after the Kahn amendment.

Mr. SAUNDERS. Into the military service of the United States, that came in after the Kahn amendment?

Mr. ORTH. Yes; military service as distinguished from the strictly naval service.

Mr. SAUNDERS. What would you call a marine?

Mr. ORTH. Why; I do not know. I have already told this committee on several occasions that I did not pose as an expert on these questions.

Mr. SAUNDERS. You have given the public information in relation to them?

Mr. ORTH. I have given the public information in relation to them as I have told the committee already, I think, in your presence, as an average American citizen.

Mr. SAUNDERS. I understand.

Mr. ORTH. Not as an expert.

Mr. SAUNDERS. But your league had set itself up as an adviser of the public on these questions?

Mr. ORTH. Yes, sir; and I think they did it entirely right, from the viewpoint of the citizen, instead of the viewpoint of the expert.

Mr. SAUNDERS. I do not say you did not give it as you understood it; but you created yourselves for the purpose of informing the public, and I think you were associated with the direct machinery for sending out this informative matter, were you not?

Mr. ORTH. I am associated with that machinery; yes, sir.

Mr. SAUNDERS. Now, as I have understood from your answers on this question of loyalty, that question of a man's loyalty, as of the time of any particular vote, would be determined by whether a decisively preponderance of the sentiment of the United States was in favor of the particular proposition at that time?

Mr. ORTH. Substantially so. I do not believe those were my exact words.

Mr. SAUNDERS. Now, taking the Browning motion to recommit: Are you in a position to say that a decidedly preponderance of the

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sentiment of the people of the United States was in favor of the Browning motion to recommit?

Mr. ORTH. Why, to the best of my knowledge and belief, at that time, namely, on June 2, 1916, the overwhelming sentiment of a majority of the people of the United States was in favor of a maximum increase in the military and naval preparedness of this country. And Mr. Browning's 44 amendments distinctly were in the direction of a maximum of increase.

Mr. SAUNDERS. But you think that the people of the United States at that time were distinctly and decisively in favor of the Browning motion to recommit?

Mr. ORTH. In effest, as I have stated, I think they were.

Mr. SAUNDERS. How many people in the United States, Mr. Orth, do you imagine know anything about that motion or that it was going to be made?

Mr. ORTH. Before it was made?

Mr. SAUNDERS. Yes; before it was made.

Mr. ORTH. Oh; very few.

Mr. SAUNDERS. Now, how were you in a position with respect to a motion that you say very few people in the United States were even aware it was in contemplation—how are you able to say they were distinctly and overwhelminlg in favor of it?

Mr. ORTH. We would record the history, sir, and——

Mr. SAUNDERS. I am asking you now about facts: How did you know they were distinctly and overwhelmingly in favor of a motion that they did not even know was going to be made?

Mr. ORTH. Why, that the people of the United States were overwhelmingly in favor of any motion or action or bill or resolution, or whatever you may call it, that helped the maximum preparedness of the United States or was in that direction.

Mr. SAUNDERS. What do you call, Mr. Orth, maximum preparedness of the United States? That gets us into a right large field.

Mr. ORTH. Why, I call the maximum preparedness such amount as might be represented by the voice of the people, plus the judgment of Congress, plus the judgment of the administrative bureaus.

Mr. SAUNDERS. That is your answer to what is the maximum?

Mr. ORTH. That is as good an answer as I can make to the somewhat involved question.

Mr. SAUNDERS. The words "maximum preparedness," they were your words, not mine. And I am simply asking you to define your own words.

Mr. ORTH. Yes; they were my words.

Mr. SAUNDERS. Maximum preparedness—now, I am simply asking you what you mean by that maximum preparedness?

Mr. ORTH. I think it may illuminate the thing by saying it meant anything that was suggested by the action of Congress or by the suggestion of any department of the Government, in the direction of maximum preparedness, was what the people wanted.

Mr. SAUNDERS. All right. Now, have you the slightest information that Mr. Browning, in his motion to recommit, was in conformity with any department's desire or recommendation?

Mr. ORTH. No, sir.

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Mr. SAUNDERS. Have you any information whatever to the effect that Mr. Browning's motion to recommit was in conformity with any intimation of the President?

Mr. ORTH. No, sir.

Mr. SAUNDERS. Have you any idea that his motion to recommit was in conformity with the expressed attitude of the Naval Committee, through its chairman, Mr. Padgett?

Mr. ORTH. No, sir.

Mr. SAUNDERS. Well, you have not been able, then, to fill in the facts with your definition of maximum preparedness, have you?

Mr. ORTH. I think I have, perfectly; I say that the Browning measures were in consonance with the desires of the people of the country.

Mr. SAUNDERS. But you intimated those desires find expression through department recommendation, or otherwise?

Mr. ORTH. I base it on the people of the country, sir, plus other things.

Mr. SAUNDERS. Now, at that time do you suppose the people of the country had any information of Mr. Browning's recommendations in his motion to recommit?

Mr. ORTH. At that time?

Mr. SAUNDERS. At that time.

Mr. ORTH. On the day that the motion was voted on?

Mr. SAUNDERS. Yes.

Mr. ORTH. I think on the afternoon of that day and the morning of the following they did; yes, sir.

Mr. SAUNDERS. How do you know they did not favor more than Mr. Browning recommended? They did not favor more than Mr. Browning favored, did they?

Mr. ORTH. I do not know, sir.

Mr. SAUNDERS. Suppose Mr. Browning had put in $200,000,000 more than preparedness and then brought in a motion to recommit: that would have been one maximum preparedness, and how do you know the people of this country did not want that?

Mr. ORTH. I think it is rather abstract, but I think the people of the country might have approved of that very strongly.

Mr. SAUNDERS. In other words, you are just guessing—you have a right to guess, but you are just guessing at what the people of the country thought at that date about Mr. Browning's motion to recommit?

Mr. ORTH. No, sir.

Mr. SAUNDERS. You have no definite knowledge whatever on the subject?

Mr. ORTH. I have a fairly definite knowledge of what I think was the concensus of opinion of a majority of the people of the United States.

Mr. SAUNDERS. You were educating the public. The President, perhaps as you know, did not favor Browning's motion to recommit, and the Navy Department did not favor it, and the committee did not appear to have favored it, and Congress did not favor it, and yet you fall back upon the statement that with your source of knowledge that you are prepared to say that the country at large favored it?

Mr. ORTH. Yes, sir; the masters of the country favored it.

Mr. SAUNDERS. You mean by that the people of the country?

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Mr. ORTH. The people of the country.

Mr. SAUNDERS. Now, the Congressmen are the people who generally use that phrase about their masters, and they were sitting in that body and they had a pretty intimate knowledge of what their masters in the respective districts wanted. Why should they be setting themselves against what was the overwhelming and preponderant sentiment of the plain people of the country, by voting against something that you say they wanted?

Mr. ORTH. Why, even Congress proved what I am trying to demonstrate, because the Browning amendments appear only to have been lost by six votes—there were 59 members not voting.

Mr. SAUNDERS. Well, but they were lost. If the overwhelming and preponderant sentiment of the plain people, that is the masters of the Congressmen, were at that time in favor of the Browning amendments, why should Congress not reflect the wishes of their constitutents instead of being advised about them from the Security League, with its headquarters in New York City?

Mr. ORTH. They do not appear to have been advised.

Mr. SAUNDERS. Well, I am asking you why they were so ignorant of the wishes of their own people?

Mr. ORTH. The only intelligent answer I can make to that question is what I have already stated, I think, that on questions of national affairs the individual Congressmen are to be guided not by the particular wishes of their districts, entirely, but by the preponderant opinion of the country at large.

Mr. SAUNDERS. I am trying to find out why it was or what it was as of that date that reflected or gave evidence of the preponderant wishes of the country. The President does not seem to have been aware that the country had any such preponderant wish.

Mr. ORTH. Why, the press did, sir, and Congress appeared to be pretty well alive to it, as shown by the votes on the amendment.

Mr. SAUNDERS. If we had gone by the press in the few years past, this country was in favor of anything but national prohibition, and yet we have agreed this morning your Members from New York are disloyal in that respect, because they failed to vote for national prohibition. And the press in many instances is a mighty poor way to tell what to rely upon as to what the people are thinking.

Mr. REAVIS. I would like to put in the record that sufficient States have ratified the amendment to-day, and my State put it over; my State was the thirty-sixth State.

Mr. ORTH. Is it finished, Mr. Congressman?

Mr. REAVIS. It is finished.

Mr. SAUNDERS. Now, you were furnishing stuff, were you not, to some 1,400 papers as to what the country was thinking?

Mr. ORTH. No; furnishing the National Security League's literature to about 1,400 newspapers as to what the National Security League, its many writers, and so on, thought.

Mr. SAUNDERS. Then, in those papers, in order to get at the attitude of the country, you were reading your own material?

Mr. ORTH. Only to the extent that the newspapers approved of it by publishing it; and they are not apt to publish what they do not believe their constituents approve of.

Mr. SAUNDERS. Now, Mr. Orth, I want to ask you a question that I asked *Col. Lydecker: Your* purpose in furnishing this chart, you

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say, was to give the people of the various districts represented by Congressmen, information in relation to their Member's activities? I believe that correctly states your position.

Mr. ORTH. Information with regard to the Members' activities on win-the-war propositions?

Mr. SAUNDERS. On win-the-war propositions. Do you agree that a district should have selected its Members with reference to the votes in that chart or whether they should have gone further in looking into their Congressman's record?

Mr. ORTH. I believe that a district should have acted according to its own wisdom and conscience, sir.

Mr. SAUNDERS. What do you mean by that?

Mr. ORTH. They should have given the chart or other information just as much consideration as they saw fit to do.

Mr. SAUNDERS. But not accept the chart? In other words, do you think it would have been fair to any individual Member for a district to make its selection of a Congressman according to the votes given in your chart, having in mind the votes on other measures of intense national interest that you did not include in your chart?

Mr. ORTH. I think, sir; that would have depended entirely upon the record of the Member, as shown in the chart.

Mr. SAUNDERS. Taking a man whose record, according to your chart, was bad and who had opposition, would you have taken it as a matter of course that that man of bad record, according to your views, should have been defeated?

Mr. ORTH. Why, I would have thought that the people of any district would——

Mr. SAUNDERS. Have looked further?

Mr. ORTH. Would have preferred to defeat a man with a very bad record according to the chart, as those measures were vital.

Mr. SAUNDERS. And they should have stopped at that point in determining whether he should or should not be elected?

Mr. ORTH. I think there are in the chart some things which would be absolutely determinative, sir.

Mr. SAUNDERS. Against the reelection of such a man?

Mr. ORTH. Against the reelection of such a man; yes, sir.

Mr. SAUNDERS. It matters not what the rest of his work was?

Mr. ORTH. I should say not, sir.

Mr. SAUNDERS. You should say not. According to that attitude, then, Mr. Johnson, of South Dakota, who has been referred to here several times, certainly ought to have been defeated in spite of the magnificant record he has made in other directions?

Mr. ORTH. Why, I think that a record such as Mr. Johnson's would have come within the category I have just described. But, as I said to this committee yesterday, where a man had made a bad record and had indicated and proven that he was—I could not then find the right word, nor can I now, so I use the word—repentent, I believed he should have received every consideration.

Mr. SAUNDERS. Does that mean he ought to have been reelected then, in spite of his record?

Mr. ORTH. I do not know, sir. In asking that question you are really asking my personal opinion.

Mr. SAUNDERS. I am trying to get at the league's point of view; *I can only* get at it through the officers of the league.

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Mr. ORTH. Why, you are asking these questions with regard to exceptional things, and not the average.

Mr. SAUNDERS. I can furnish you a good many cases for the record.

Mr. ORTH. I should say I can not answer that question; it is a matter which seems to me would have to be left entirely to the people of the district.

Mr. SAUNDERS. That, of course, is perfectly true. What I am trying to get at is when you leave it to the people of the district, wouldn't you have in mind that they would look further to ascertain what was the record of their Member, as a whole, before they undertook to foreclose the case against him?

Mr. ORTH. They probably would look further, unquestionably.

Mr. SAUNDERS. Now you were conducting, Mr. Orth, in your league, an educational campaign in this chart that you were putting out. Wouldn't the effect of that chart have been—and the scheme of education that you had in progress in that connection—that Royal Johnson, at that time a soldier in the trenches in France, was an unsafe man to be elected to Congress?

Mr. ORTH. I do not think so.

Mr. SAUNDERS. The chart would not show that?

Mr. ORTH. I don't think so.

Mr. SAUNDERS. What would the chart show, if it did not show Mr. Johnson was an unsafe man to be elected? Now I am just confining myself to the chart.

Mr. ORTH. In answer to that abstract question, the chart would show that. The question is very abstract and not illuminative.

Mr. SAUNDERS. No; it is not abstract at all. It is a very direct inquiry. Here is your educational illuminating chart, and the effect of the information contained in your chart as conveyed to the people in Mr. Johnson's district was that he was an unfit man or an unsuitable man to be elected to Congress; and if the people of that district wanted to elect him upon his record they would have had to go further and get other features of his record than those that had been afforded by your chart.

Mr. ORTH. Yes, sir; but your question assumes that the people of the district know nothing except what is contained in the chart—which the people of the district would not relish.

Mr. SAUNDERS. Didn't you presume that the people in the district knew these votes as well as these other votes that you are speaking of?

Mr. ORTH. Some of them may; some of them may not. I think the majority probably would not have known.

Mr. SAUNDERS. If you presume that they knew the other votes, don't you imagine they would be apprised on these particular votes more accurately than on any other class of votes?

Mr. ORTH. If they knew what other?

Mr. SAUNDERS. You presuppose, you say, that the people of the individual Congressman's district knew about other votes; wouldn't they know just as well about these votes?

Mr. ORTH. I am afraid we are a little mixed. I understood your question originally to be, Didn't the people of the district know of the votes of Mr. Johnson as contained in the chart? I answered, "Some of them might and some might not."

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Mr. SAUNDERS. Then I asked you wouldn't they be as likely—in fact, more likely—to know about those votes contained in the chart than these votes to which they would necessarily look in forming their judgment on the merits of Mr. Johnson's case?

Mr. ORTH. What other votes do you refer to?

Mr. SAUNDERS. Any of the votes that he cast. You referred in your answer to the fact that there were other votes of which they doubtless were aware.

Mr. ORTH. I think I said other facts.

Mr. SAUNDERS. Other facts?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Well, I will put it that way. These votes were facts. Looking to that chart, we are now agreed, I believe that if the voter went no further he would reach the conclusion that Royal Johnson was not a suitable man to be sent to the Congress of the United States.

Mr. ORTH. Assuming that that is all the voter knew; yes; that would be the case.

Mr. SAUNDERS. Now, if the voter knew anything else in respect to the record of Royal Johnson, certainly he didn't get it from any information furnished by the Security League, did he?

Mr. ORTH. No, sir: but they would have gotten the knowledge from information furnished by the Security League if Mr. Johnson or his representative would answer the questionnaire sent him for that express purpose.

Mr. JOHNSON. He was in France.

Mr. ORTH. I said, or his representative.

Mr. SAUNDERS. Now, why do you think that an educational and informative league should put into a man's district a record so incomplete as this, emphasize these particular votes, and leave it to the voter to dig up these other votes in order to determine his judgment, instead of the voter being afforded those votes in the first instance by your league?

Mr. ORTH. Because I believe that the votes included in the chart are outstanding measures of fundamental and essential importance to the win-the-war policy of the United States, and that the average voter would be very hard put to think of any other measures which at the time they were voted upon were equally essential and fundamental.

Mr. SAUNDERS. Well, I am glad that we have reached that conclusion at last. Then in the mind of the league, when you were sending out this material you were sending material that, with respect to these Congressmen that had what you call a bad record, material that would make it very hard for them to be elected?

Mr. ORTH. Where the action or votes of the Members had been bad, yes; that would be the case.

Mr. SAUNDERS. Then you were seeking in congressional elections to make it very difficult for the men selected by you and noted as having bad records to be reelected to Congress, whatever may have been the splendid character of their other work?

Mr. ORTH. We were seeking to make a historical and educational presentation of the facts, sir.

Mr. SAUNDERS. When you used the word "the facts," you don't *mean all the* facts?

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Mr. ORTH. No; we are talking of certain facts.

Mr. SAUNDERS. You simply wish to present the votes with your comment on certain selected measures, and leave the voter to grope around and find what his Member of Congress had done with respect to many other measures of Nation-wide interest?

Mr. ORTH. That is correct, with the exception——

Mr. SAUNDERS (interposing). And you think that is a fair way——

Mr. ORTH (interposing). I beg pardon; I had not answered yet. That is correct with the exception that instead of being "selected" measures, they were measures of essential and fundamental importance to the win-the-war policy of the United States.

Mr. SAUNDERS. Would that any the less remove them from the category of measures selected by your league?

Mr. ORTH. It would not remove them from the category of the measures selected by the league, according to the overwhelming public opinion of the people of the United States.

Mr. SAUNDERS. Still they were selected measures, whatever may have been your judgment about the overwhelming attitude of the people of the United States. These measures were selected by your league for your specific purpose.

Mr. ORTH. They must have been selected or they would not have gone out.

Mr. SAUNDERS. For your specific purpose. You seemed to cavil at my use of the word "selected" just a moment ago. They were selected by your league and selected for your specific purpose, were they not?

Mr. ORTH. They were according to the standards which the league announced.

Mr. SAUNDERS. And in that your league had it in mind to make it exceedingly difficult for the men having these bad records, as you call bad records, to be reelected to Congress?

Mr. ORTH. No, sir; the league had it in mind to present the facts and let the people use their wisdom and conscience about those facts.

Mr. SAUNDERS. Well, you said that the facts that you presented, in your judgment, would make it hard for these fellows to get back to Congress.

Mr. ORTH. I may have said that, but I can not change the facts; they are stubborn things.

Mr. SAUNDERS. I don't want you to change the facts; I just want you to commit yourself to some decisive attitude of facts.

Mr. ORTH. I thought I had tried to indicate a very decisive attitude.

Mr. SAUNDERS. You said in one of your answers on yesterday—I think it was an answer to Mr. Browne—that it seemed to you proper to give nothing except the votes as given by the Congressional Record.

Mr. ORTH. I think that is correct, sir.

Mr. SAUNDERS. Which would seem to carry with it the idea of excluding comments upon those votes.

Mr. ORTH. No; I think my statement to Mr. Browne was made distinctly in connection with the chart.

Mr. SAUNDERS. Well, the idea would be to give the votes without comment?

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Mr. ORTH. To give the votes without comments—that is, comments as understood in the ordinary acceptation of the term.

Mr. SAUNDERS. So, to come back to the matter that we were talking about before dinner, the Senate chart conformed to that idea of yours and the House chart did not?

Mr. ORTH. Pardon me, Congressman, I will have to look up the Senate chart. [After examining chart.] Not consciously or intentionally. The comments as you recall it—by which I understand you to mean the description of the various measures contained in the Senate chart—are approximately the same in conception and intent as those contained in the House chart.

Mr. SAUNDERS. You think, then, according to that answer just given, that when you told Mr. Browne that your idea was to give nothing except the votes as given by the Congressional Record you carried out that purpose in the House chart?

Mr. ORTH. I think I did, sir.

Mr. SAUNDERS. Well, I believe, Mr. Orth, that is all I have. I will ask you this other question: Did you put out any of this literature in 1916?

Mr. ORTH. I was not connected with the league at that time.

Mr. SAUNDERS. I beg your pardon. I remember you made that statement before. I had forgotten it.

I believe, Mr. Chairman, that is all.

Mr. REAVIS. Mr. Orth, you understand, of course, that a corporation as an entity is nothing more than a legal fiction?

Mr. ORTH. That a corporation is what?

Mr. REAVIS. As an entity is nothing more than a legal fiction? It is the creation of the law with practically no personality.

Mr. ORTH. I can not say that I ever thought in exactly that manner.

Mr. REAVIS. What I mean by that is, that the direction corporations take and the purposes they seek to accomplish are largely the disposition of those who are in control of them under the limitations of their charters, are they not?

Mr. ORTH. I should think so, so far as my knowledge goes.

Mr. REAVIS. Well, the committee has had that idea in view in its questions to the several individual officers that have come before it, not with the idea of getting your personal opinion of anything, but with the idea of ascertaining the probable direction and the probable activity and the probable purpose of this corporation, by ascertaining what your probable purposes and thoughts are or will be.

What political experience have you had prior to your connection with the National Security League?

Mr. ORTH. I have voted at every election that I possibly could, and have read quite assiduously regarding political questions, both as respects partisan political questions and as respects political questions in the sense which I have used here.

Mr. REAVIS. Mr. Orth, I asked as to your personal information and the methods by which you obtained it. What I am seeking to know is what political experience in the way of directing political affairs you have had.

Mr. ORTH. Prior to my connection with the National Security *League?*

Mr. REAVIS. Yes.

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Mr. ORTH. None whatever.

Mr. REAVIS. Have you ever belonged to any political committee?

Mr. ORTH. No, sir. It may be possible that somewhere in the annals of the nineteenth congressional district of New York, I think it was, that my name was once used on a circular without my authority.

Mr. REAVIS. But you were not concerned in the activities of that committee?

Mr. ORTH. No; I have never had any political activity of any kind.

Mr. REAVIS. You never had any political experience along the lines of directing political activities?

Mr. ORTH. No, sir; I have not.

Mr. REAVIS. Have you ever been a member of a legislative body?

Mr. ORTH. No, sir.

Mr. REAVIS. Have you ever had occasion, by reason of your occupation or of your interest in politics, to study legislative methods?

Mr. ORTH. Why, not in detail, sir. I have read interestedly in various books—and I confess that I have taken textbooks for the purpose, as being the simplest and most illuminative way of trying to make sure that I understood in a general way the general direction and trend of legislative affairs, but I do not pose as an expert in any sense of the term.

Mr. REAVIS. Have you ever studied legislative enactments to the end that you might become familiar with the proper and ordinary legal construction of law?

Mr. ORTH. No, sir; I have labored very hard at times to understand some of the legislative enactments which I saw. I think I have labored harder than the great majority of citizens to do that.

Mr. REAVIS. But that was on legislative enactments in which you had some personal interest?

Mr. ORTH. Personal in which I had an interest. If you mean by personal a substantial or monetary interest, no; certainly not.

Mr. REAVIS. Have you ever been a candidate for a political office?

Mr. ORTH. No, sir; I have not.

Mr. REAVIS. And you approached the duties that you assumed, to become the head of the legislative bureau or legislative committee of the league, of this league, with practically no experience either in political matters or inlegislative matters?

Mr. ORTH. I approached those duties in the manner that I have already described as an average American citizen.

Mr. REAVIS. But that is such a delightful generalization that it might mean anything. What I am seeking to get you to put into the record, Mr. Orth, is this: That you approached the responsible duty of acting as the head of a congressional committee of the National Security League, having for its purpose the education of 100,000,000 people in this Nation, on the conduct and record of their Representatives in the Congress, with practically no experience at all?

Mr. ORTH. I approach that question with no greater experience than I have indicated, but in making the affiliation with the National Security League I knew that I was going to be surrounded by a number of men who had had considerable experience in that direction.

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Mr. REAVIS. You know there has crept into this hearing the delightful pastime of "passing the buck." When Mr. Lydecker was on the stand he told us that you would give us full information, and constantly in your examination you have spoken of the wonderful assistance that you had, evidently in an effort to escape personal responsibility. Now, did you manage this congressional committee or did somebody else manage it?

Mr. ORTH. Why, there has been no disposition on my part or anybody else's, so far as I know, to "pass the buck." The congressman has mistaken an attempt to state the facts as they actually exist, with what he calls "passing the buck."

Mr. REAVIS. Do you want me to elucidate on what I mean? You know what I mean, don't you?

Mr. ORTH. I know very well what you mean.

Mr. REAVIS. You will take judicial notice of that. Continue with your answer.

Mr. ORTH. I have not intended at any time to endeavor to unload upon anybody else any of the actions which I took, but where and when I consulted regarding any questions of policy or action with anybody else, I have attempted to state that. It has simply been a recitation of facts, so far as I know.

Mr. REAVIS. You have occasionally sought advice?

Mr. ORTH. I have constantly sought advice, sir, daily—almost hourly.

Mr. REAVIS. And did you do anything upon your own initiative without advice and without approval?

Mr. ORTH. Some things I did, unquestionably.

Mr. REAVIS. Now, I have understood you to say—and it has been quite pleasing to me to have you say it—that your activities in connection with this league, and your appearance here as a witness, was that of an average American citizen.

Mr. ORTH. Yes, sir.

Mr. REAVIS. You know we have encountered so many men of vision and supermen in this investigation that I am glad to find an average American citizen connected with this league. I want to talk to you a little while about that. You know Mr. S. Stanwood Menken?

Mr. ORTH. Yes, sir.

Mr. REAVIS. How long have you known him?

Mr. ORTH. Since March, 1918.

Mr. REAVIS. I would have asked him if I had been able to be here, but I was prevented on account of illness; do you know what the "S" stands for in his name?

Mr. ORTH. No, sir.

Mr. REAVIS. It is neither "superman" nor "subcaliber," is it? [Laughter.]

Mr. ORTH. Not that I know of.

Mr. REAVIS. Do you know Mr. Lydecker?

Mr. ORTH. I do, sir.

Mr. REAVIS. You heard their testimony?

Mr. ORTH. The good bulk of it?

Mr. REAVIS. You heard them talk about "supermen"?

Mr. ORTH. I heard much talk about supermen.

Mr. REAVIS. And about men with vision?

Mr. ORTH. Yes, sir.

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Mr. REAVIS. Now, you and I occupy a lower level, don't we?

Mr. ORTH. I believe we do.

Mr. REAVIS. You don't take offense at putting myself on the same level with you?

Mr. ORTH. Not the slightest. I am flattered and pleased. [Laughter.]

Mr. REAVIS. Now, you and I can see the bulking figures of these supermen, like S. Stanwood and the colonel upon the heights, can't we? They posed for the people here for six days, didn't they?

Mr. ORTH. I have a practical imagination, but I don't know that it carries me on to the heights in this case.

Mr. REAVIS. Well, I know you and I are not on the hights, but we can see upon the heights, can't we?

Mr. ORTH. I think I can see what the gentleman means.

Mr. REAVIS. If we can't see them, we can hear them, can't we?

Mr. ORTH. We surely can.

Mr. REAVIS. Now, a man occupying the heights doesn't see all the strife and the trouble and the turmoil down in the shadows that you and I would see on a lower level, would he?

Mr. ORTH. I don't see anything to prevent them from doing it.

Mr. REAVIS. Well, if they were occupying the heights and engrossed with their broad vision, with their eyes on the color of the sky line, they wouldn't see much that was going on down below, would they?

Mr. ORTH. The mere fact that they had broad vision, I should think, would make them see what was going on below.

Mr. REAVIS. You and I down below would be a little closer to the trouble in the shadows, wouldn't we?

Mr. ORTH. We would be a little closer to the trouble, but we might be a little farther away from the vision.

Mr. REAVIS. Now, you know of the trouble and the strife and the turmoil that is going on down in the shadows below the heights, don't you?

Mr. ORTH. I have experienced a good deal of it, sir.

Mr. REAVIS. And you know what is going on now throughout the world?

Mr. ORTH. Substantially, I think; yes.

Mr. REAVIS. Did you ever read Carlyle's French Revolution?

Mr. ORTH. Not through, sir.

Mr. REAVIS. Did you ever read any of it?

Mr. ORTH. I have read parts of it.

Mr. REAVIS. Do you remember that portion of the French Revolution where he says, "I have thought it ought not to be necessary for any man to say that the great masses are composed of units"?

Mr. ORTH. I don't recall it, sir—composed of units?

Mr. REAVIS. Of units. That while humanity was accustomed to look at them as a great mass, in fact they were composed of units. You know that fact, don't you, and you know those units can hurt if you strike or kick them, don't you?

Mr. ORTH. I should think so.

Mr. REAVIS. And they have the same capacity for gladness and sorrow that you and I have?

Mr. ORTH. I think so; yes, sir.

Mr. REAVIS. And they can hate or love just as we can?

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Mr. ORTH. Yes, sir.
Mr. REAVIS. You know that fact, don't you?
Mr. ORTH. Yes, sir.
Mr. REAVIS. Are you a man of family?
Mr. ORTH. I am, sir.
Mr. REAVIS. You have children?
Mr. ORTH. I have, sir.
Mr. REAVIS. I was rather surprised to notice that Mrs. Menkin wears a two-star service flag. Have you children in the service?
Mr. ORTH. Mrs. Menkin?
Mr. REAVIS. I beg pardon—Mrs. Orth.
Mr. ORTH. Why, I had a son and a stepson in the service, sir.
Mr. REAVIS. Both in the service?
Mr. ORTH. Both in the service.
Mr. REAVIS. I would not have thought you were old enough. Now, Mr. Orth, you can remember when that fine boy of yours that is in the service was a little fellow, can't you?
Mr. ORTH. I can.
Mr. REAVIS. You are rather proud of the service that he is doing?
Mr. ORTH. I wish he could have done more.
Mr. REAVIS. Well, you are rather proud that he was privileged to do so.
Mr. ORTH. Distinctly.
Mr. REAVIS. Do you know what the President cabled over to Congress last Monday?
Mr. ORTH. On what subject, sir.
Mr. REAVIS. On the subject of the $100,000,000 appropriation in the House.
Mr. ORTH. Yes, sir; I saw it at the time.
Mr. REAVIS. Do you recall what the cable was?
Mr. ORTH. Not distinctly. I have been very much engrossed the last week.
Mr. REAVIS. The cable was that this strife and turmoil that is going on down in the shadows throughout the world could not be stopped with bullets; could not be stopped with guns, but it could be stopped with food.
Mr. ORTH. I recall that distinctly.
Mr. REAVIS. You remember that?
Mr. ORTH. Distinctly.
Mr. REAVIS. That millions of people, children just like yours and mine, were hungry. Do you think that was the proletarian that Mr. Lydecker on the heights wants to defend Congress against—the people that are hungry?
Mr. ORTH. I had not thought of it in that connection, sir; no, sir.
Mr. REAVIS. Well, he is the proletarian, isn't he?
Mr. ORTH. Why, to be perfectly honest, Congressman, I have not an adequately clear conception of just what proletarian means to discuss it intelligently.
Mr. REAVIS. Mr. Lydecker started with the proposition that he was a demagogue, and I think he used the name "Bryan" in that connection. Then he brought a definition in here that a proletarian was a wage earner, and he stopped talking about Bryan [laughter]. Of course, I don't mean that offensively, because Mr. Bryan is a constitu-

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nt of mine; but it is only fair to say that I represent him without his aid or consent.

Do you know what Mr. Lydecker means by "proletarian" when he said they had to be defended against them?

Mr. ORTH. I haven't given the matter very much thought, Congressman. I don't know exactly what he means, but I do know that his meaning is a sincere and good one.

Mr. REAVIS. Without knowing what he means, you know that is a good one?

Mr. ORTH. Without knowing what he means, I know he is not capable of any meaning except a sincere and good and honest one.

Mr. REAVIS. I beg your pardon?

Mr. ORTH. Without knowing, I know he is incapable of any meaning except a sincere, honest, and good one.

Mr. REAVIS. You have a high regard for the Colonel?

Mr. ORTH. A very high regard.

Mr. REAVIS. I have too—probably a little more reverse English on my regard than there is on yours, however. But you wouldn't undertake to say what the purpose of this league was in defending against the proletarian?

Mr. ORTH. No, sir; I would not, because I am not qualified to do it.

Mr. REAVIS. But you think whoever he is and whatever he is, whether he is a man whose difficulties can be cured by food or not, and whether the strife and turmoil is caused by his hunger, that he ought to be defended against it, don't you?

Mr. ORTH. I do, distinctly.

Mr. REAVIS. Don't you think it would be better if your league started an educational bureau to help him rather than to defend against him? Now I want you to answer that as an average American citizen that is not on the heights.

Mr. ORTH. I will try to do it so far as I can. That is assuming that by the term "dangerous proletarian" there was included in what was interpreted as a derogatory phrase, something which should not be derogated. Now I have tried by what I have said to say that I think that Col. Lydecker—and I will now add the National Security League—in my opinion is entirely unlikely and incapable of attempting anything, either in the way of act or thought, against anything that is meritorious or entitled to support and consideration.

Mr. REAVIS. And therefore, without understanding just what he meant by the use of the phrase "to defend against the dangerous proletarian," or what he meant by the use of the word "proletarian," which according to the definition which he himself furnished is a wage earner, you think his purpose and motives were good?

Mr. ORTH. I am absolutely convinced that they were, sir.

Mr. REAVIS. Now, if you, as an average American citizen, don't know and can't understand by the use of the colonel's somewhat picturesque language just what he means, how did you expect the general public to understand?

Mr. ORTH. I did not expect, because I really had not had very much thought about it.

Mr. REAVIS. I know, but your purposes are educational, and you were sending your bulletins, as I understand it, to 80,000 subscribers throughout the nation.

Mr. ORTH. Yes, sir.

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Mr. REAVIS. And soliciting funds to continue this educat work, and you do it by sending out speeches or reports of your dent, who uses language that you, as an officer of the league—w yourself the injustice of saying you are an ordinary America zen—can not understand.

Mr. ORTH. I can not understand it, because I have not giv matter the thought and investigation which it might require.

Mr. REAVIS. Let me carry it just a step further. If you c understand it, how much of it do you think the fellows down shadows, to whom it refers, can understand it?

Mr. ORTH. I think that they might understand it instincti the same way that I think I might have understood instinctive was meant.

Mr. REAVIS. That is, you think that this education will sorbed by instinct rather than by understanding?

Mr. ORTH. I think that some education—a great deal of tion—necessarily is.

Mr. REAVIS. Now, I will confess to you that there is a da element, not only in Europe but in America, and I think a even though he does not occupy the position that would giv wide perspective, can see it and can realize it. The part educational bureau is to educate teachers in cities all over the in Colorado, and California, Nebraska, and even in Massac that is true isn't it?

Mr. ORTH. I think so, sir.

Mr. REAVIS. And that educational bureau is financed lar contributions made in New York, is it not?

Mr. ORTH. Why, I think it is financed out of the genera of the National Security League, a large portion of which I are secured in New York; in the same way that United Stat ernment secures a very large portion of its money from the liberty bonds, Red Cross, war-savings stamps, and so forth the same place.

Mr. REAVIS. But the United States Government, very mucl criticism of Mr. Mennin——

Mr. ORTH (interposing). Menken.

Mr. REAVIS. Yes, Menken. I keep confusing the superma the talcum-powder man. [Laughter.] Now, very much to t gust of Mr. Menken, is not conducting an educational campai not an educational bureau such as the National Security has.

Mr. ORTH. That who has not?

Mr. REAVIS. You say the Government derives its money i measures from the same sources, but the Government does nc the same disposition of its money that your league does.

Mr. ORTH. No, sir; it does not.

Mr. REAVIS. I want to ask you a question. I don't know v you know it or not—I didn't know it until the other day—it shocked me when I found it out—do you know that every le the Bolshevik and Soviet movement in Russia came fro York?

Mr. ORTH. I did not know that every leader did; I knew, of of two prominent cases.

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Mr. REAVIS. Do you know that they are all members of the I. W. W. this Nation?

Mr. ORTH. No; I did not know that.

Mr. REAVIS. Do you know that they all received their education in the city that is going to educate the Nation along lines of good government?

Mr. ORTH. I don't know how much education they received.

Mr. REAVIS. I am not speaking of education in its higher sense but the education which has prompted them to do what they are doing, was obtained in the city of New York?

Mr. ORTH. And I want to say in connection with that, that the National Security League for a long time has been laboring very strenuously in season and out of season to try to remedy that state of affairs, so far as lies within its power.

Mr. REAVIS. Do you know that the only reason that these men went to Russia, rather than to continue what they were doing in this country, was that they could do over there what they could only try to do here? That that was a fertile field and they went to it. Do you know that is true?

Mr. ORTH. I am not surprised to hear it, sir.

Mr. REAVIS. Now, do you know anything about the educational facilities or the teachings given to the children along the lines of good government out in my State, for instance?

Mr. ORTH. Not in any detail; no, sir.

Mr. REAVIS. Preparatory to another question, I want to tell you. Even in the rural districts in my State they have in a large measure done away with the district schools. They have combined several districts together, and they build one fine schoolhouse for all the several country districts, to which all of the children go, and they give them a high school education; and do you know that out there in that agricultural land the children from the farms are going to teachers that are paid higher wages than you pay in the city of New York? Did you know that?

Mr. ORTH. No; I did not.

Mr. REAVIS. Don't you think it might be a good idea for these moneyed men in New York to pay some little attention to the teaching of good government there, and do away with the Lenines and Trotzkys, and let us run our own affairs out there in the West?

Mr. ORTH. They are doing it in New York City.

Mr. REAVIS. You are sending out education, as I understand it, along the lines of good government, all over the Nation, without knowing whether they are being taught along the lines of good government in our country at all?

Mr. ORTH. It doesn't alter the fact that the National Security League is doing the same thing in New York.

Mr. REAVIS. Is doing the same thing in New York?

Mr. ORTH. Yes, sir; distinctly.

Mr. REAVIS. Don't you think that there is a more fertile field to be cultivated there along the lines of teaching good government, and that the National Security League has tortured a local condition into a national condition; that there is no necessity to teach in the ordinary rural sections of this country the lines of good government, that will compare *with the necessity* for teaching the same lines in *the city of New York?*

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Mr. ORTH. I think you will find on investigation, sir, that the National Security League in whatever it does in Nebraska acts only through Nebraskan officials, and that the responsibility then rests with your own people if they accept pamphlets and teachings, etc., from the National Security League which are not needed in your State.

Mr. REAVIS. My inquiry was not related to the methods in which you were teaching in Nebraska, or whether your services were dependent upon our desires or not. My inquiry was: Don't you think that the finances of the National Security League, that are devoted to educating the use of the land along the lines of good government and civil government, could be expended to better effect in the city of New York than they could by scattering out across the Nation where there is no necessity for it? Now, as an average American citizen, doesn't that appeal to you as good common sense?

Mr. ORTH. Why, yes; if it envisaged all the conditions, but the National Security League, as its name indicates, and as its membership will prove, is a national organization, and is thereby obligated to conduct anything it undertakes on a national scale.

Mr. REAVIS. I know you say it is a national organization. One of the things that I am trying to find out is whether it is necessary that it should be a national organization, and with that idea in mind I am asking you these questions about your educational features along the lines of good government.

Mr. ORTH. Why, there are lots of good things in the world that are not absolutely necessary, but it does not prevent the fact that they are good and are doing good work, and for that good work they ought to get as much compensation as possible and as little condemnation as possible.

Mr. REAVIS. I am seeking to assist your organization. I am very greatly interested in your future, and with the idea of assisting them I am making the suggestion to you and asking your approval of it. Don't you think that the necessity for the teachings along the lines of good government is more of a local condition than it is a national condition?

Mr. ORTH. I think—yes, sir.

Mr. REAVIS. Now, don't you think that a good many of the men in New York, especially those who occupy the heights, and who smile modestly whenever they pronounce the word "superman"—and it is only their inherent modesty that prevents them from pronouncing it in the singular instead of the plural—don't you think that sort of man has lived in New York so long that he has more or less of a superficial or a local view instead of a national view, and that he tortures what is really a local condition into a national condition?

Mr. ORTH. Why, there might be some tendency to that effect.

Mr. REAVIS. Now, wouldn't there inevitably be a tendency to that effect?

Mr. ORTH. Yes, but I think on the other hand that the conditions which exist in any large urban district are more or less reflected in other large urban districts throughout the country.

Mr. REAVIS. But that would still be a local condition, of a class confined to congested districts rather than the nation at large.

Mr. ORTH. That would be a local condition of national dimensions?

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Mr. REAVIS. It would be a condition confined to a class would it not, but that class, I mean, in congested centers?

Mr. ORTH. I should think so; yes, sir.

Mr. REAVIS. Now, with the idea of proving of such assistance as I can to your league, don't you think it would be more serviceable if your league would, rather than defending Congress against the proletarian, would assist Congress in finding out what the wrongs are and applying the remedy—the wrongs which are creating this unrest and this strife and this turmoil that is becoming almost a menace the world wide?

Mr. ORTH. I not only think it would be well, but I believe it is a fact that the league has actively under consideration the plans for doing so.

Mr. REAVIS. But the only publication of any plan that they had was the plan that I have seen of the Colonel's, of providing a defence against these people rather than assistance to them.

Mr. ORTH. I don't think that it was the thought of Col. Lydecker or any member of the executive committee of the National Security League—certainly it was not mine as such a member—that we should simply provide a defence against those people and not help them.

Mr. REAVIS. Well, of course there has been so many things published and said by the National Security League that have not been said in the terms and words of common acceptation with regard to their meaning among the people that require some explanation that you may be justified in that. The colonel may have said just exactly what he did not mean. He admitted doing that several times during his examination. But I want to ask you this question now, as an average American citizen—and it is on that plane that I am talking now, because I am one of those fellows myself—suppose that there was strife and turmoil down below; and suppose the President, after having gone abroad and made a personal investigation of it, so far as conditions would permit, and talking with those men, those statesmen who knew of the personal conditions, and would become so impressed with it that he would report back to the legislative body of his own Nation that it was hunger that was wrong, and that that was all, and that while bullets would not stop it, food would; do you think that the man who is hungry and whose children, for whose creation he is responsible, just as you and I are responsible for ours, and who probably thinks just as much of them as we think of ours—whose children are hungry and ill clad and undernourished—to have somebody way up in the heights shout down to him that constitutional government has broken down—and I want to get all of this question in—and that the Congress is appropriating your money for their own purposes, and that it is passing a bill in times of war full of "treasonable pork," and the President of the United States is not only approving the bill with his signature, but is so delighted with it that a reward is offered by giving him a Federal judgeship; do you think that is going to steady the Nation by quieting this unrest that is coming up from below? Do you think that is a pretty good style of education for your league to be giving to these people?

Mr. ORTH. Why, Congressman, I must say in answer to your question, so far as I can remember the various parts of it, that I thank God that there is not any hunger in this country, and that to compare

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the conditions which the President referred to in Europe with this country can not be done.

Mr. REAVIS. Conditions are not comparable, that is true; but do you quite mean that there is no hunger in this country?

Mr. ORTH. Practically none.

Mr. REAVIS. You mean that there is no unrest among a certain class of our people?

Mr. ORTH. I believe there is considerable unrest.

Mr. REAVIS. Don't you think that unrest is larger in proportion now, following this war, and more menacing—if I may use that word in a limited sense—than it ever was before in the history of this Nation?

Mr. ORTH. I don't know. That is one of the things that I have been thinking of very deeply and trying to find something to come to a determination on. I fear it may be so.

Mr. REAVIS. You have been thinking of it more deeply recently then ever before?

Mr. ORTH. Certainly.

Mr. REAVIS. You have been thinking of it more deeply because you have been impressed with the fact that possibly that is true, and you want to find out, don't you?

Mr. ORTH. Distinctly; and I want to see what can be done to avoid it.

Mr. REAVIS. Then you have in your mind the thought that it may be that this unrest is greater to-day than it ever was before?

Mr. ORTH. No. What I had in my mind is, as nearly as my thought has taken any form or substance, that the unrest which exists abroad may communicate itself to this country, so as to bring about unrest here on a comparatively large scale, as distinguished from the distinctly minor scale in which there has been unrest recently.

Mr. REAVIS. Well, what is your opinion about there being a restlessness on the part of that class in this country now, starting with the I. W. W's in the Northwest and coming clear across the country?

Mr. ORTH. Why, I can only say in response to that that I have no well-defined opinion, and that my present state of mind must honestly be defined as one of fear.

Mr. REAVIS. You read the account of the trials of the I. W. W.'s in Chicago?

Mr. ORTH. Not recently; sometime ago; yes; I did.

Mr. REAVIS. Not very long ago—a few months ago?

Mr. ORTH. Yes; I think I did.

Mr. REAVIS. You have read of the acts of the I. W. W. in the Northwest, haven't you?

Mr. ORTH. Somewhat.

Mr. REAVIS. Up through Washington and Oregon?

Mr. ORTH. Some of them.

Mr. REAVIS. And in Montana?

Mr. ORTH. Some of them.

Mr. REAVIS. You have read of a good many things that have planted in your mind the fear that there may be unusual unrest there, haven't you?

Mr. ORTH. Yes, sir.

Mr. REAVIS. You have that fear now?

Mr. ORTH. And I have that fear now.

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Mr. REAVIS. I want to ask you the question, then, that I asked you a moment ago. Do you think that a national organization, soliciting funds upon the theory that it is conducting an educational campaign that is Nation wide, whose former president, a member of the present executive committee, is crying down from the heights, and those things are being circulated as a part of the educational propaganda of your league, that constitutional government has broken down; that Congress is appropriating money for its own personal purposes; that the military committee in times of war reported a bill of "treasonable pork"; that the President of the United States, fully conscious of that fact, not only signed it, but was so delighted with the work of its author that he rewarded him by giving him a Federal judgeship; do you think such education as that sent out by your league is going to quiet this unrest that you say you fear exists?

Mr. ORTH. I don't think, Congressman, that typifies by any manner of means the educational matter that was sent out by the National Security League.

Mr. REAVIS. I am not asking what is typical of the educational matter, but I just want you to answer this question. Do you think that that sort of education which your league is sending out broadcast across this Nation is calculated to obliterate the unrest which you say you fear?

Mr. ORTH. Why, I am sorry to say that you have included in your question a lot of premises of which I have no knowledge—no active knowledge.

Mr. REAVIS. You heard the testimony of our mutual friend, S. Stanwood, didn't you?

Mr. ORTH. I heard most of Mr. Menken's testimony.

Mr. REAVIS. You heard the examination of him with reference to his address which he published in one of the pamphlets of your league, and was read from one of the pamphlets of your league, that that bill was full of "treasonable pork"?

Mr. ORTH. Does that refer to something which has been recently sent out?

Mr. REAVIS. I don't know how recently it was sent out.

Mr. ORTH. I think it was probably sent out in 1916.

Mr. REAVIS. It was certainly sent out since the Hay bill has been passed.

Mr. ORTH. That was two years ago. I thought you were talking of the present time.

Mr. REAVIS. You heard that testimony?

Mr. ORTH. I think I heard part of it; yes, sir.

Mr. REAVIS. You heard him further testify that Congress was appropriating money—Congressmen—for their personal purposes?

Mr. ORTH. I heard that, sir.

Mr. REAVIS. You heard him further testify that not only did the President sign the Hay bill, but that he so rejoiced at the measure that he rewarded its author with a Federal appointment?

Mr. ORTH. Oh, yes; I think I heard that.

Mr. REAVIS. Do you think that that sort of propaganda is calculated to settle this unrest and to steady the Nation?

Mr. ORTH. That is not the propaganda of the National Security League, sir.

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Mr. REAVIS. It was the propaganda of the National Security League and sent out by them, was it not?

Mr. ORTH. Not to my knowledge.

Mr. REAVIS. It was sent out in January, 1917, was it not?

Mr. ORTH. Not to my knowledge.

Mr. REAVIS. Well, if it was sent out by your league, what do you think of that character of educational campaign? You see we have got to get what you gentlemen think in order to find out where this corporation is going.

Mr. ORTH. I am not capable of giving an opinion on a thing which I only know the barest outline of, and which I had not read or considered or studied and formed an opinion on. These are important things.

Mr. REAVIS. Mr. Orth, you do yourself a very grave injustice. You have been on this stand for two days and you doubtless have appealed to every member of this committee as a man of superior intelligence. Now, I am putting the plain proposition to you and I am not asking you to appear as the advocate of the league. I am asking you to appear as Mr. Orth, an average American citizen who is under oath to tell the truth and the whole truth, and tell me candidly what is your opinion of the effect of an educational propaganda such as I have indicated?

Mr. ORTH. My belief is, Congressman, that the National Security League did not send out such propaganda—or I have no knowledge of it—and I wish further to state that if the National Security League were to suggest sending out such propaganda at the present time, that I, as a member of the executive committee, would very rigorously oppose it.

Mr. REAVIS. So then we may deduct your opinion that you think it would be unwise?

Mr. ORTH. I certainly would, if anything like that were done at the present time.

Mr. REAVIS. Well, suppose it was sent out in January, 1917, what would you think of it?

Mr. ORTH. Why, I am really at a loss to know how to answer you sincerely or honestly on that point, Congressman, because I don't know just what we are talking about in any detail.

Mr. REAVIS. Now, let me ask you another question. Isn't the statement that constitutional government has broken down and that Congressmen are unjustly spending money for their own purposes, and that the legislation of Congress is full of "treasonable pork," and that the President approves of things of that kind, just the kind of a speech that a bolshevik would make?

Mr. ORTH. With the exception that that would be all that the Bolshevik would say, whereas it was not all the other gentlemen had to say.

Mr. REAVIS. I am not sure it was all the Bolshevik would say, but he couldn't say it any better than that, could he?

Mr. ORTH. I don't know. It would depend upon the personal equation.

Mr. REAVIS. That statement is in harmony with the ideas that are now entertained by the Bolsheviks, is it not?

Mr. ORTH. I don't think substantially so; no. I think that their thoughts run along entirely different lines—their main thoughts.

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Mr. REAVIS. Don't the Bolsheviks in their assaults on organized government say that it ought to be done away with because it has broken down?

Mr. ORTH. I don't know that they go to the trouble of saying because it has broken down, but, Congressman, I want to say to you very frankly that I don't consider myself qualified to carry on this discussion with you, because it is a matter in which I have had no thought, and I dislike very much to express opinions under oath on matters in which I have had no thought, and I want to enter my objection to it.

Mr. REAVIS. Now, you were the selection of Mr. Menken for the position you hold in the National Security League, or at least he claimed credit for you.

Mr. ORTH. Why, I shall recite the facts and then you gentlemen can judge for yourselves that I was anxious to do some work of this kind. A mutual friend introduced me to Mr. Menken. I asked Mr. Menken if the National Security League would not take the matter up, and, after consideration, possibly conference, etc., with his colleagues, he informed me it would.

Mr. REAVIS. Mr. Menken informed you that? . . . .

Mr. ORTH. Mr. Menken informed me.

Mr. REAVIS. And suggested that you take it over?

Mr. ORTH. I suggested to him in the first instance that the league take up such work.

Mr. REAVIS. Well, who suggested that you become at the head of this legislative bureau—the congressional bureau?

Mr. ORTH. Why, it was not any stated, fixed suggestion; it was more or less assumed from the conversations I had with Mr. Menken.

Mr. REAVIS. And it was the product of conditions rather than anybody's suggestions? The product of circumstances? Now, I have Mr. Menken's speech here which was circulated by the National Security League, of a meeting held under the auspices of the National Security League January 25–27, 1917, in the Nation's capital, this publication undoubtedly being circulated and issued subsequent to that date in January.

Mr. ORTH. I beg pardon. What was the date?

Mr. REAVIS. January 25–27, 1917, in which he used this language:

> We have had the failure of the Hay bill, redolent with treasonable injection of pork.

Now, that was circulated by the league, wasn't it?

Mr. ORTH. I assume so.

Mr. REAVIS. That the Congress of the United States, with the approval of the President, in time of war, or just approaching war, had passed a bill redolent with treasonable pork. That was one of the educational documents sent out by the league, was it not?

Mr. ORTH. I don't know. I can't say. I have no knowledge of it.

Mr. REAVIS. I am calling the attention of the witness to the document from which I have just read, and ask you to look at the title page and answer me whether or not that was gotten out by the National Security League, and the day [showing a book to the witness].

Mr. ORTH. Apparently it was issued by the National Security League, 31 Pine Street, New York, January, 1917.

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Mr. REAVIS. And containing the record of a meeting held in the National Capital at Washington under the auspices of the National Security League, was it not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. That is correct. So we have got to the point finally that the National Security League was the father of this educational instrument which I have just shown you.

Mr. ORTH. Apparently.

Mr. REAVIS. Not only issued with its approval, but issued by it, was it not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Then I want to ask you again, as the head of the congressional bureau of the National Security League and member of its executive committee, if you think that the unrest which you say you fear is in America, is very likely to be quieted by educational propaganda issued by your league, accusing Congress of passing a bill that was redolent with treasonable pork; accusing, by the ex-president of your league, and a member of your executive committee, the President of not only signing it, but of rewarding its author because of his activities which resulted in the bill being passed, by giving him a Federal appointment; accusing constitutional Government as having broken down, and Congressmen of appropriating money for their own personal purposes; I will ask you if education of that character will tend to quiet the unrest which you fear?

Mr. ORTH. I do not believe that the unrest which I fear would have been in the slightest degree affected in 1919, when I feared, by the utterances of Mr. Menken for the National Security League in 1917, unless they had been brought to the attention of the United States by congressional committee.

Mr. REAVIS. Do I understand you by that to mean that these utterances and these documents would not reach them?

Mr. ORTH. You can understand me to mean that by this time those utterances and those documents have unquestionably gone out of circulation and out of the individual recollection of the majority of people who ever saw them.

Mr. REAVIS. And have performed their work?

Mr. ORTH. And have performed their work.

Mr. REAVIS. Educational in character?

Mr. ORTH. Educational in character. Otherwise I do not know——

Mr. REAVIS (interposing). Well, now, some of these things that were incorporated in that question were the things testified by your ex-president and member of your executive committee as to existing conditions in this hearing less than a week ago.

Mr. ORTH. They may have been, as the result of questions asked him by members of the committee.

Mr. REAVIS. Now, what effect, under the intention as indicated by the colonel, your present president, in the bulletin of December, 1918, where he says that one of his activities is going to be to steady the Nation—what effect will such stuff as that have on steadying the Nation?

Mr. ORTH. Why, none at all if it is issued or advertised at this time.

Mr. REAVIS. Would it create any greater confidence in organized government than existed before it was uttered?

Mr. ORTH. It would not, if given prominence at this time.

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Mr. REAVIS. Wouldn't it tend to destroy the confidence of the people in their Government and their governmental officials?

Mr. ORTH. It might, if given prominence at this time.

Mr. REAVIS. It what?

Mr. ORTH. It might, if given prominence at this time.

Mr. REAVIS. But it was the utterance of a member of your committee, your former president and the man who created this league less than a week ago, was it not?

Mr. ORTH. Under cross-examination; sir.

Mr. REAVIS. And it was the utterance of what he believed, and his view, was it not?

Mr. ORTH. At a time in the past.

Mr. REAVIS. You see, I am trying to find out where this corporation is going, as I told you in the beginning, by finding out what your officers and directors believe.

Mr. ORTH. I think you are trying to find out where it went—not where it is going.

Mr. REAVIS. Now, Mr. Caraway suggests to me—which I recall to be correct—that the statement of Mr. Menken which I have just repeated was a voluntary statement and not in response to a question; do you remember that?

Mr. ORTH. No; I do not.

Mr. REAVIS. I do. Now, then, that shows the attitude and the belief of the creator of the committee with reference to the functioning of his Government and the wisdom and integrity of the officials who controlled, does it not?

Mr. ORTH. Of the creator of which committee, sir?

Mr. REAVIS. The creator of the league, I mean, rather than committee.

Mr. ORTH. It may to some extent show his convictions at the time it was stated.

Mr. REAVIS. Well, last week. He stated it last week.

Mr. ORTH. Then it showed his convictions, no doubt, at that time.

Mr. REAVIS. Now, do you know whether he has changed them since last week?

Mr. ORTH. I never had any conversation with him about it.

Mr. REAVIS. Well, you and I might indulge in the presumption that he still entertains them, could we not?

Mr. ORTH. If he so stated, unquestionably.

Mr. REAVIS. Even though we have not had the opportunity of finding out whether he has changed his convictions within the last week, it would not be a violent presumption to think that he still entertains those ideas, would it?

Mr. ORTH. In so far as he repeated them at this time, it would not.

Mr. REAVIS. You mean by "repeated them at this time," that he repeated them last week?

Mr. ORTH. Yes.

Mr. REAVIS. Now, then, you don't know—you say you are not in a position to form a judgment as to what effect that would have on the unrest which you fear. Did I so understand you?

Mr. ORTH. Why, I think what I said was that if those views were given prominence at this time they would not have a beneficial effect on any such unrest as might exist—or, rather, I should say, on the unrest which I *fear may occur.*

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Mr. REAVIS. It would accentuate that unrest rather than act as a deterrent upon it?

Mr. ORTH. It might if the thing were given prominence.

Mr. REAVIS. I know; but if it came from a man standing upon the heighths, a superman with broad vision, wouldn't it have that effect to those who listened to it far below him?

Mr. ORTH. It might have, sir.

Mr. REAVIS. Well, isn't it likely to have that effect?

Mr. ORTH. Why, that is a matter of opinion; I have not reflected on it, Congressman. I can not answer you truthfully.

Mr. REAVIS. You have no opinion on that?

Mr. ORTH. I have no fixed opinion on it. It is an important matter which requires a great deal of consideration. You are reading certain paragraphs without the context. I have not read the mass of the thing, and the context may give an entirely different expression.

Mr. REAVIS. You heard his testimony the other day?

Mr. ORTH. I heard most of it; yes, sir.

Mr. REAVIS. Did you ever hear a more terrific arraignment of a Government and its officials in your life, than he gave?

Mr. ORTH. Yes, sir; I have heard, though, very much worse.

Mr. REAVIS. Worse than that?

Mr. ORTH. Yes, sir.

Mr. REAVIS. You have been unfortunate. I never have. I would like to have that chart, please. [After examining chart.] Now, Mr. Orth, did you prepare this chart?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Were you responsible for all of its eight so-called acid tests?

Mr. ORTH. No, sir; I have testified that the measures numbered 2, 3, 4, and 5 were copied in from the pamphlet which I put in evidence yesterday.

Mr. REAVIS. And No. 1 and 2, 6, 7, and 8?

Mr. ORTH. No; 2, 3, 4, and 5 were copied from the pamphlet which I put in evidence yesterday.

Mr. REAVIS. Then 1, 6, 7, and 8 were your work?

Mr. ORTH. I am practically responsible for them.

Mr. REAVIS. I am not going over your testimony with reference to the McLemore resolution, but I take it for granted that you admit that the legal effect of the McLemore resolution could not have been what you state it was in your first subdivision?

Mr. ORTH. I have already stated that the practical effect of the McLemore resolution would not have been as therein stated, but that the moral, and practical, and actual effect would have been so.

Mr. REAVIS. That is another instance where the league in its publication said not quite what it meant?

Mr. ORTH. It said substantially what it meant, sir. It said in effect——

Mr. REAVIS (interposing). "This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas," was it?

Mr. ORTH. That resolution, in effect, was to operate to cause American citizens to forego their natural, legal, and constitutional rights.

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Mr. REAVIS. Then the discrimination that you make is now, not that it deprived them of their natural rights, but rather hindered them from exercising their natural rights?

Mr. ORTH. The discrimination that I make now is one merely of technicality and not of essence.

Mr. REAVIS. That is not a technicality at all.

Mr. ORTH. Or substantiality.

Mr. REAVIS. Very momentous questions might be determined by that very same discrimination.

Let me see if I have got you correctly. You now state that the effect of the McLemore resolution was not to deprive the American citizen of his right to travel on the seas, but was to deter him from exercising that right.

Mr. ORTH. That is correct with the addition of the words "not to deprive him of his technical, legal rights to do so," which is a very substantial difference.

Mr. REAVIS. Why is the legal right to travel on the high seas a technically legal right?

Mr. ORTH. Because you are making a technicality of it, so far as I can judge by your questions.

Mr. REAVIS. No; I am trying to find out whether you will now say that the legal, constitutional right of the American citizen to travel on the high seas would have been taken away from him if the McLemore resolution had been passed?

Mr. ORTH. It would not have been taken away from him in a technical, formal, legal manner; no, sir.

Mr. REAVIS. Then you mean in a technical form and not in a legal form?

Mr. ORTH. In a legal form, that he would not have been prevented.

Mr. REAVIS. No legal right would have been taken away from him at all if that resolution had been passed?

Mr. ORTH. That no legal right by an enacted law of the land would have been taken away from him.

Mr. REAVIS. Well, no legal right by the passing of that resolution would have been taken away from him, would it?

Mr. ORTH. His legal right to so travel would have been deterred by the passage of that resolution.

Mr. REAVIS. Now I am going to get an answer to that question, if we stay here all the afternoon. I am asking you again: Would any legal right have been taken away from an American citizen to travel the high seas by the passage of the McLemore resolution?

Mr. ORTH. No legal right would have been technically taken away, but the legal rights of American citizens would have been deterred by the passage of that resolution.

Mr. REAVIS. The latter part of your answer, with reference to deterring him from the exercise of his legal rights was not in the question. I am going to ask you to kindly answer my question.

State what legal right to travel the high seas the American citizen would have been deprived of by the passage of the McLemore resolution; not whether he would have been deterred in exercising a legal right, but state the legal right that would have been taken away from him.

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Mr. ORTH. In answer to the technical question that you ask, it is probably necessary to say that no legal right would have been taken away from him, but I object to the question as being highly technical and not descriptive of the facts.

Mr. REAVIS. Thank you very much. Now, let me ask you a further question. Suppose that the McLemore resolution had been a joint resolution, a House and Senate resolution, and had passed, would the American's legal and constitutional right to travel the high seas be taken away from him?

Mr. ORTH. It would not, but it would have been none the less infamous.

Mr. REAVIS. Suppose that a law had been passed, framed as the McLemore resolution was framed, duly enacted by the Congress and signed by the President; would he have been deprived of his legal and constitutional right to sail the high seas?

Mr. ORTH. You are now getting, as a lawyer, getting me in more deeply as a citizen than I can undertake to go, sir.

Mr. REAVIS. I am trying to get you out. I have the very kindliest feelings toward you.

Mr. ORTH. Thank you. I didn't know I was in.

Mr. REAVIS. You said you were getting in.

Mr. ORTH. I don't understand the question sufficiently to answer it, Congressman, I am sorry to say.

Mr. REAVIS. Then you, as the head of the congressional bureau, the creator of a plan of education upon which the voters of a nation of more than 100,000,000 people were to act in the election of a war Congress, were framing this chart, showing the legal effect of a resolution about which you say now you knew nothing.

Mr. ORTH. I was framing the opinion of the people—the overwhelming majority of the people—of the United States as to their thoughts on that resolution, and also the opinion of the majority of 134 Members of the House of Representatives.

Mr. REAVIS. How do you know that it was the opinion of the American people; that the result of the McLemore resolution would be as indicated in this chart?

Mr. ORTH. I know it from reading the newspapers at the time; from general conversation at the time, and from the reflective evidence of the vote on the subject.

Mr. REAVIS. Now what newspapers did you read?

Mr. ORTH. I read all the newspapers which I could lay my hands on, and particularly those which reflected or printed the opinion of different sections of the country.

Mr. REAVIS. What newspapers did you read, indicating the opinion of the people on the McLemore resolution?

Mr. ORTH. I should say chiefly, in answer to your question, the Literary Digest and Current Opinion.

Mr. REAVIS. Those were two magazines.

Mr. ORTH. Those were two magazines which make a business of trying to collect the opinion of the entire country.

Mr. REAVIS. Now where did you hold these conversations on the McLemore resolution?

Mr. ORTH. Oh, I can't remember, Congressman. I simply refer to ordinary, everyday conversations such as every citizen has.

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Mr. REAVIS. In what locality?

Mr. ORTH. Wherever I may have been at the time.

Mr. REAVIS. Where were you?

Mr. ORTH. I happened to be in Washington, I am pretty sure, on that particular day.

Mr. REAVIS. Now, did you talk with anybody here about it?

Mr. ORTH. I think I did.

Mr. REAVIS. With whom?

Mr. ORTH. I talked with several people in the corridors of the House of Representatives.

Mr. REAVIS. Did you know them?

Mr. ORTH. I did not.

Mr. REAVIS. How many would you say that you talked to.

Mr. ORTH. Only one that I can remember.

Mr. REAVIS. Only one?

Mr. ORTH. Yes.

Mr. REAVIS. Where else did you hold conversations about it?

Mr. ORTH. In my office in New York.

Mr. REAVIS. With whom did you talk there?

Mr. ORTH. I talked with my partner. That is one.

Mr. REAVIS. Now, that makes two. Who else have you talked with about the McLemore resolution?

Mr. ORTH. I would not undertake to say any further than that.

Mr. REAVIS. Now, from reading the two magazines and talking with two individuals, you determined the overwhelming opinion of the people of the United States, did you?

Mr. ORTH. I also stated and as from the reflective evidence of the vote of the House of Representatives on the subject.

Mr. REAVIS. Do you accept the vote of the House of Representatives as indicative of the overwhelming, unanimous sentiment of the people?

Mr. ORTH. Not always.

Mr. REAVIS. Did you in this instance?

Mr. ORTH. I did, sir, because it seemed to agree with all the other information that I could obtain.

Mr. REAVIS. Now, why did you do it more in this instance than in any other?

Mr. ORTH. Because, according to the best judgment of which I was possessed, it seemed the proper thing to do.

Mr. REAVIS. Now, let us see if we have gotten down to a practical proposition. From talking to one gentleman in the corridors of the House of Representatives, and a conversation held with your partner in your office in New York; from reading the Literary Digest and some other magazine, the name of which I have forgotten——

Mr. ORTH (interposing). Current Opinion.

Mr. REAVIS (continuing). Current Dpinion, and from the vote of the members in the House of Representatives you state under your oath that the overwhelming opinion of the American people was that the McLemore resolution meant that the American citizen should forego his natural, legal, constitutional right to travel on the high-seas?

Mr. ORTH. I state that under those conditions and the general impression I had at the time, that I had a very strong conviction to that effect, sir.

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Mr. REAVIS. Now, you did not know of your own knowledge what effect that resolution would have; what legal effect?

Mr. ORTH. No; not what legal effect.

Mr. REAVIS. You don't know now what legal effect it would have!

Mr. ORTH. Why, I think I am fairly clear about that now—under your able guidance.

Mr. REAVIS. So you and I have finally gotten together on what the legal effect of the McLemore resolution would be?

Mr. ORTH. The committee and I were together on that, I think, this morning.

Mr. REAVIS. Well, that is fine. And the legal effect is directly contrary to what it would be in this chart.

Mr. ORTH. The legal effect, but not the practical, actual effect. Quite the contrary.

Mr. REAVIS. I am not asking about the practical effect; I am not asking you to speak or wander off into the illimitable perspective at all. You said we had gotten together on the legal effect, and I asked you, inasmuch as you frankly told me we were not together on the legal effect of that resolution, if your present opinion as to the legal effect of the McLemore resolution was not directly contrary to what you told the people of this Nation it was in No. 1 subdivision of the chart. Now, you can answer that yes or no.

Mr. ORTH. No. I call your attention to the wording of the thing: "This resolution was to the effect"—bear in mind that the words "to the effect" are in there—"that American citizens should forego their natural, legal, constitutional right to travel on the high seas." I stand by that and say it is correct.

Mr. REAVIS. Now, stating that to be correct, that the resolution was to the effect that they should forego their natural, legal, and constitutional rights, don't that inevitably leave the impression with any average American citizen, such as you and I are, who reads it, that if the resolution were passed it would have destroyed that natural, legal, and constitutional right?

Mr. ORTH. It might or might not, Congressman.

Mr. REAVIS. Could any other deduction be drawn there?

Mr. ORTH. It could, sir.

Mr. REAVIS. Well, you have been drawing that deduction, Mr. Witness, for two days on the stand until just this instant, that that left the impression that the passage of the resolution would have destroyed the natural, legal, and constitutional right to travel the high seas, haven't you?

Mr. ORTH. I think the answer to that is yes.

Mr. REAVIS. Yes, you have. And you intended that, when you sent that out, not as an expression of the legal effect of that resolution, but as an expression of the overwhelming sentiment and opinion of the American people, gained from a conversation with two people, from reading two magazines, and getting the vote of the House of Representatives. Isn't that a fair statement of your evidence?

Mr. ORTH. And from reading the Congressional Record.

Mr. REAVIS. And from reading the Congressional Record. Now, Mr. Orth, did you appreciate the very great responsibility that you undertook when you accepted the chairmanship of this congressional *bureau*?

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Mr. ORTH. I think I did, sir.

Mr. REAVIS. Did you appreciate the responsibility with reference to your relations to the public-at-large, as well as the responsibility with relation to the Members of Congress?

Mr. ORTH. I think I did, sir.

Mr. REAVIS. Now, you know there are some Congressmen—it may be difficult to believe this—but there are some Congressmen, and I think, very many Congressmen—who are very jealous of their records in Congress. Did you know that?

Mr. ORTH. Why, yes; I should think they all would be; and that on account of that jealousy they would take good care to preserve them in good shape.

Mr. REAVIS. You know, there are some Congressmen who have constantly before them the idea that it is a very great responsibility to govern and control the legislative destinies of this great Republic of ours. Did you know that?

Mr. ORTH. Yes; I believe every average citizen knows that.

Mr. REAVIS. And there are a great many Congressmen who realize that the record that they make is immutable, and that it is passing into the ages; that they will always be judged by it; and therefore they are quite careful of what they do. Do you know that?

Mr. ORTH. I should judge so.

Mr. REAVIS. Do you know that most Congressmen are a great deal more concerned with that aspect than they are with the question whether their electorate returns them to the House of Representatives?

Mr. ORTH. No; I don't know that. I can invisage the thought, and I can imagine that some might; some might not.

Mr. REAVIS. Could you conceive of a man whose conduct would be governed by the weight of his responsiblity rather than by his own personal and political career?

Mr. ORTH. Could I conceive of a man whose conduct would be governed by the weight of his responsibility? I surely could.

Mr. REAVIS. You are not willing to credit Congress with having very many men of that caliber, are you?

Mr. ORTH. I certainly am.

Mr. REAVIS. Don't you know that the very vast majority of them are so governed?

Mr. ORTH. I believe that a majority of the Members of Congress are so governed.

Mr. REAVIS. Now, you took the responsibility of giving to the people of this Nation the records of these Congressmen, did you not?

Mr. ORTH. I did, in so far as the record went; yes, sir.

Mr. REAVIS. And you gave the records of some men, at least, on this McLemore resolution, that would leave the impression with the people who had the privilege of reading your chart that they were in favor of this resolution; where, as a matter of fact, they were opposed to it, did you not?

Mr. ORTH. Why, I gave on the McLemore resolution the votes of the Members of Congress, as recorded by themselves.

Mr. REAVIS. Are you sure that you did that?

Mr. ORTH. Absolutely certain, sir.

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Mr. REAVIS. Are you sure that you gave to the public in this chart the vote of the Congress on the McLemore resolution, or the vote of the Congress on the motion to table the McLemore resolution?

Mr. ORTH. On the motion to table.

Mr. REAVIS. Did you so say in your chart?

Mr. ORTH. No; I did not.

Mr. REAVIS. Why didn't you?

Mr. ORTH. Because I didn't think it was illuminating.

Mr. REAVIS. If you wanted to be entirely fair and present the exact record, rather than what you thought was the unanimous or overwhelming sentiment of the Nation on the proposition, why didn't you say that the vote was on the motion to table the resolution?

Mr. ORTH. I have already explained that the essence, the fundamental thought and sentiment contained in that resolution, was stated and fairly stated according to the ordinary citizen's point of view, as distinguished from the highly technical refinements to which it has been subjected here—and I insist upon that—and to have added the language of the McLemore resolution, plus the language which then would have been required, the language of other resolutions referred to in there, would have made the whole publication impracticable. In our other literary matter we had taken the trouble to very distinctly state that the vote was on the tabling of the McLemore resolution, where that issue was referred to.

Mr. REAVIS. So you preferred practicability to accuracy, did you?

Mr. ORTH. No, sir; I preferred to accomplish both.

Mr. REAVIS. Now, let us just see how accurate you were. In the first place you did not state that the vote was on the motion to table, did you?

Mr. ORTH. That is not stated in the chart.

Mr. REAVIS. That would have been accurate, wouldn't it?

Mr. ORTH. It would have been accurate so far as it went.

Mr. REAVIS. That would have been true?

Mr. ORTH. True so far as it went.

Mr. REAVIS. Now, does a chart that does not reveal that, but leaves the impression that the vote was one upon the merits of the resolution rather than upon a motion to table—is that accurate?

Mr. ORTH. I think a chart which shows the essence and fundamental idea involved is substantially accurate and will be so considered by all people, as distinguished from lawyers.

Mr. REAVIS. You are exceedingly fond of the word "substantially," and I find you employ it very frequently; but it does not answer my question. I am not asking you for and substantial compliance. You did state that if the chart had revealed that the vote came on the motion to table, it would have been an accurate and correct statement. Now, I want you to answer not whether you are substantially correct, but whether it is a correct and accurate statement to say in here something that leaves the impression on every man of average intelligence, who reads it, that the vote was upon the merit of the resolution and not upon the motion to table.

Mr. ORTH. Why, I can only say in answer to that question, Mr. Congressman, that the viewpoint of the people was what the merit of the resolution was, and nothing else.

Mr. REAVIS. I am not asking you about the viewpoint of the people, though I know that you are in possession of that. You have

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stated that repeatedly. I am asking you as to whether or not the statement, which this chart sent out, which leaves but one possible deduction to be drawn from it, and that was that the vote was upon the merits of the McLemore resolution, was an accurate statement of the record on that resolution?

Mr. ORTH. It was substantially so, and I can not answer you in any other way.

Mr. REAVIS. You see we get back to that word "substantially," which you are so fond of. I don't want "substantial" compliance, I want an "exact" compliance, under your responsibility of sending the records of Members of Congress broadcast across this Nation. Did you send an accurate statement of the action of the House on the McLemore resolution, when you sent this chart out, from which but one deduction may be drawn, and that deduction is that the resolution was voted upon on its merits?

Mr. ORTH. In my opinion I did send out an accurate statement.

Mr. REAVIS. Now, I have tested you upon that one theory of accuracy. Let me test you on another one. You say that No. 1 in here was not intended by you to state the legal effect that the passage of the McLemore resolution would have had; but it was intended by you to put the construction upon that resolution that was put upon it by the overwhelming sentiment of the American people. Am I right about that?

Mr. ORTH. Yes, sir; you are right about that.

Mr. REAVIS. Do you say anywhere in this chart that the overwhelming sentiment of the American people is that a proper construction of the McLemore resolution is in harmony with the construction you give in No. 1; or do you make the positive statement that a proper construction of that resolution is as you have stated it?

Mr. ORTH. I do not make the statement in the chart; I do not consider it was necessary or informatory to do so.

Mr. REAVIS. Without regard to what you may consider necessary or informatory, I am asking you now as to the exact facts. Did you state in this chart on the McLemore resolution, the legal effect that the passage of that resolution would have had?

Mr. ORTH. I did not state on the chart the technical legal effect that the resolution would have had.

Mr. REAVIS. Now, there are just two things that this resolution contains, or that this No. 1 in your chart, concerning this resolution contains. The first is the natural and inevitable deduction that the resolution was voted upon on its merits; and the next is that its legal effect was as stated by you—both of which are inaccurate and untrue. Is that correct?

Mr. ORTH. No, sir. I think that your questions, Congressmen, are, as were stated on the floor of the House at the time, parleying over details.

Mr. REAVIS. I will attempt it again, Mr. Orth—and I regret the necessity of going over these questions so many times, because I have got the flu and because we are getting all sorts of a record here. But I am going to get an answer to that question if you and I fight this out all the afternoon, and you might just as well make up your mind to it now.

Did you not state in this chart, first: The statement from which but *one deduction can be* drawn, and that is that the resolution was

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voted upon on its merits and not on a motion to table? Isn't that the fact? You have admitted that once, and I hope you will do it again.

Mr. ORTH. I think that is the fact, but it is immaterial.

Mr. REAVIS. Don't you state further, whether it is immaterial or not, that the result of that resolution was to the effect that the American citizens should forego their natural, legal, and constitutional rights to travel on the high seas, when now you know, as a matter of fact, that the legal result of the passage of that resolution would be nothing of the kind?

Mr. ORTH. I know that the legal effect would not, but the practical effect would.

Mr. REAVIS. Don't you state further—and that is the only other thing that this No. 1 contains—that this is the proper construction of that resolution, and not the overwhelming sentiment of the American people?

Mr. ORTH. I beg pardon. I don't understand that question. Will you read the question?

(The reporter read the question, as follows: "Don't you state further—and that is the only other thing that this No. 1 contains—that this is the proper construction of that resolution, and not the overwhelming sentiment of the American people?")

Mr. REAVIS. It is a little involved, but you understand it, Mr. Orth?

Mr. ORTH. I don't get it very clearly.

Mr. REAVIS. I want you to thoroughly and fully understand what I am asking. You do not state in the chart, with reference to the McLemore resolution, that your statement of facts concerning it was merely your judgment as to what the overwhelming sentiment of the American people would construe that resolution to mean. You do not state that, do you?

Mr. ORTH. I don't state it, but anybody getting a chart of the National Security League would necessarily understand that that was the judgment of the National Security League.

Mr. REAVIS. But you do put in No. 1 what the construction, the legal construction, of that resolution was, don't you?

Mr. ORTH. No; I put in No. 1 what legal rights would have been affected by the resolution.

Mr. REAVIS. Surely. Now, there is only one way that a legal right could be affected, and that is depriving him of the legal right, isn't it?

Mr. ORTH. No, sir; I contend that the legal right can be affected by the sentiment of the Government of the United States to the effect that a citizen should not exercise legal rights.

Mr. REAVIS. Now, the legal right would not be affected.

Mr. ORTH. The legal rights, per se, would not be affected, but the citizen might be affected.

Mr. REAVIS. But the citizen might be affected?

Mr. ORTH. The exercising of the legal right, per se, would not be affected by it, but the fears of the citizen would be affected.

Mr. REAVIS. That is a matter of opinion with you, and to get an idea of it I am going to ask you this question: You remember at the *time the* McLemore resolution was under discussion—I don't know *whether this* was a superman or not, but was a New York man, and

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I know those terms are not synonymous—who was asked by one in authority not to take one of these belligerent ships to go across, and he made the reply that "Both my wife and I enjoy the thrill, and we are going to take the belligerent ship." Do you remember that?

Mr. ORTH. I read it in the record, I think.

Mr. REAVIS. That man was not deterred from exercising his legal right, was he?

Mr. ORTH. No; but I don't think a single instance like that is illustrative of anything but that the question is desired to gain your point.

Mr. REAVIS. I think myself it is not conclusive of anything, but the point I am getting to—and the point I want you to answer—and I am putting your replies to my many questions into one question and I want an answer to it—your first subdivision here was inaccurate when it states that the vote was on the merits of the resolution, when, as a matter of fact, the vote was on the motion to table; it was inaccurate in stating that a proper construction of the resolution was to deprive an American citizen of his legal and constitutional rights, when you say now that the only thing you intended to convey was that this was the overwhelming sentiment of the American people. Now, isn't that true?

Mr. ORTH. Only partially so, sir.

Mr. REAVIS. I beg your pardon?

Mr. ORTH. It was only partially so.

Mr. REAVIS. Well, how far is it true?

Mr. ORTH. It is true as respects the legal technicalities which you have outlined, but it is not true as respects the essence and fundamental principles involved in that resolution.

Mr. REAVIS Now, you see we are just milling in a circle, and we will start again.

Mr. ORTH. We are going to mill in that circle because you can't change the fact and you can't change my opinion on it.

Mr. REAVIS. I am not seeking to change your opinion. I am perfectly indifferent to your opinion, but I want the facts in the record.

Mr. ORTH. I can't change the facts.

Mr. REAVIS. I am going to get the facts in the record; just bear that in mind.

Mr. ORTH. You can't change it through me, sir.

Mr. REAVIS. You did not state that the vote came on the motion to table, did you?

Mr. ORTH. No.

Mr. REAVIS. While, as a matter of fact, that was the vote, wasn't it?

Mr. ORTH. Yes; but it was immaterial to the understanding of the people whom we addressed.

Mr. REAVIS. That is your opinion, to which I am indifferent. You did not state the proper legal construction of that resolution, did you?

Mr. ORTH. No; that was immaterial to all people.

Mr. REAVIS. But you presented it as the proper legal construction of it, didn't you?

Mr. ORTH. I did not intentionally engage in any pretense to do anything.

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Mr. REAVIS. You say now that all you intended to do was to state what in fact was the overwhelming sentiment of the American people.

Mr. ORTH. No; I intended by that phraseology to express the essence of the resolution and the fundamental principle involved in it. I succeeded in doing it.

Mr. REAVIS. But you stated to me repeatedly that after having had two conversations, one in Washington and one in New York, and reading two magazines, you came to the conclusion that the overwhelming sentiment of the American people was that this resolution would accomplish what you said it would accomplish.

Mr. ORTH. That is not a fair statement, sir. You asked me certain questions and I have answered them; and by patching together the answers to little questions like that you are making a premise which is not a fair question and can not lead to a fair, proper, honest answer.

Mr. REAVIS. Mr. Orth, I think probably in the morning you and I might start out in better humor.

Mr. ORTH. I am in very good humor, sir.

Mr. REAVIS. You wanted to get away at 4 o'clock?

Mr. ORTH. I would like to.

Mr. REAVIS. It is that time now. I won't hold you any longer, but I want to continue this in the morning.

Mr. SAUNDERS. How much time have you got, Mr. Orth?

Mr. ORTH. I wanted to be at the War Trade Board at 4 o'clock.

Mr. SAUNDERS. Well, we can't stop you now, then.

Mr. JOHNSON. The committee stands adjourned until 10 o'clock to-morrow morning.

(Whereupon, at 4.05 o'clock p. m., the committee adjourned until 10 o'clock a. m., Friday, January 17, 1919.)

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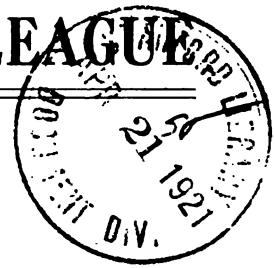
ATIONAL SECURITY LEAGUE



HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 17, 1919

PART 10

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman*.

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.
PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Friday, January 17, 1919.

The committee met at 10 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committee will come to order. Mr. Saunders, I believe you wish to ask a few questions.

STATEMENT OF MR. CHARLES D. ORTH—Continued.

Mr. SAUNDERS. Mr. Reavis, with your permission, I will just break in on you for a moment. Mr. Orth, I notice that in one of the bulletins, issued by your league in 1918, after reciting some of the achievements that you claim for your organization, you use the following language:

> The victory of the committee's work bore prompt fruit. Immediately following the elections came the news of the disintegration of the German Empire and the assumption of the reins of government by the Socalists.

Do you claim that as a result of your work the disintegration of the German Empire followed as an immediate and necessary consequence of it?

Mr. ORTH. I did not write that, sir.

Mr. SAUNDERS. Well, that is what you sent out.

Mr. ORTH. It was not sent out at the instigation of the congressional committee.

Mr. SAUNDERS. I will call your attention to the bulletin. We had an idea that the disintegration of the German Empire was due largely to the impact of the American fighting forces on the French front; but, according to the claims of your bulletin, it seems it was due to your victories.

Mr. ORTH. I did not write that, sir; and I do not know what was intended to be implied by it.

Mr. SAUNDERS. I have not attributed authorship to you; but the fact that your organization issued that bulletin in which you made that claim for your work——

Mr. ORTH (interposing). I don't believe that the National Security League, or anybody connected with it, intended to create any such impression.

Mr. SAUNDERS. I will read again the language of the bulletin:

> The victory of the committee's work bore prompt fruit. Immediately following the elections came the news of the disintegration of the German Empire.

Now, according to the common acceptation and the usual understanding of the language, what does that claim on your part mean, except that your victory caused the disintegration of the German Empire?

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Mr. ORTH. I wish to submit that the quotation of an extract f that paragraph is not correct, and I wish to read into the record entire paragraph.

Mr. SAUNDERS. Certainly.

Mr. ORTH. The paragraph reads:

This victory of the committee's work bore prompt fruit. Immediately f ing the elections came the news of the disintegration of the German Em and the assumption of the reins of government by the Socialists. Alth the German Socialists are very different in methods and radicalism from antiwar Socialists of the United States the conjunction of the coming office of the Socialists in Germany and in the United States would pro have been heralded as a significant event by the disloyal Socialists here, w cause would have thus received a fresh impetus and importance.

Now, sir, my answer is that the intent of the short extracts wh you quoted was not what you implied; that it was merely an intr ductory phrase to the circumstances explained in the latter part the paragraph.

Mr. SAUNDERS. Whose victory was it that bore prompt fruit?

Mr. ORTH. The victory of the committee's work, it states, sir.

Mr. SAUNDERS. What was the fruit that the victory of the co mittee's work was, as stated in the next sentence?

Mr. ORTH. The clear reading of the paragraph, to my mind, that the fruit of the victory was that as a result of the action of th Republican and Democratic parties in New York, on the suggestio of the National Security League to nominate a fusion candidat against the antowar socialists, that the election to Congress of anti war socialists had thus been prevented by the action of the Republican and Democratic parties in New York City; and that the fruit of that victory was that a conjunction of antiwar socialists in th country, with a conjunction of prominent socialist activity in Europe had been avoided, to the great benefit of the United States.

Mr. SAUNDERS. You are not reading now at all from your bulletin?

Mr. ORTH. No, sir. You asked me the question and I am answering you.

Mr. SAUNDERS. But in your bulletin you state, after your first statement that the victory of the committee's work bore prompt fruit, the next sentence was nothing like the answer you have just given, but the next sentence was in the following language:

Immediately following the election came news of the disintegration of the German Empire.

Mr. ORTH. I should say that I can only explain that that must have been a lapse of the pen of the gentleman who wrote it, who I believe was Mr. Harvey, and that the intent of the paragraph is as I have described it.

Mr. SAUNDERS. And according to the usual intendment and common acceptance of words, a man reading that paragraph would have interpreted it as you have afforded the explanation this morning?

Mr. ORTH. I believe that any man who was intent upon arriving at what the statement actually meant, instead of trying to establish the meaning of a single paragraph or a single sentence would have understood what I have said.

Mr. SAUNDERS. All right. Thank you, Mr. Reavis.

Mr. REAVIS. Now, Mr. Orth, to resume where we were interrupted at adjournment last evening, with whom did you advise re-

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arding the first subdivision of your chart, before the subject matter as made a part of this chart?

Mr. ORTH. You referred to the McLemore resolution, I assume?

Mr. REAVIS. Yes, sir.

Mr. ORTH. Why, my best recollection is that I wrote out the subdivisions and that I submitted them to Mr. West and Mr. Harvey.

Mr. REAVIS. Mr. West and Mr. Harvey?

Mr. ORTH. Yes.

Mr. REAVIS. Now, did Mr. West or Mr. Harvey, by any rule or custom which obtained in your league, have a supervisory control over your activities?

Mr. ORTH. Mr. West was the executive secretary, and in that capacity represented the executive department of the league, and I would not say that I consulted him in that capacity any more, though, than I consulted him in an advisory capacity generally on account of some considerable knowledge and exeprience that he had had in congressional affairs. And I consulted Mr. Harvey likewise, because he had had considerable Washington experience.

Mr. REAVIS. Then, the consultations that you may have had with either Mr. West or Mr. Harvey were largely voluntary on your part? I mean by that, Mr. Orth, that you were not required by any rule with which you were familiar to get their approval of any of your work before it was made a matter of publicity?

Mr. ORTH. Yes; I was, Mr. Congressman. There was a pretty well-defined understanding that in anything which seemed to involve any important principal or action or departure, that it was obligatory upon me, as it was upon every department head there, to get the consent of somebody representing the management of the league—who was the executive secretary.

Mr. REAVIS. Was the matter that was to be included in this chart a matter that was submitted to you? I mean by that, were you the authority selected or designated to select the measures of Congress which formed the basis of this chart?

Mr. ORTH. No; I have already testified that they were selected in consultation with the same gentlemen. I can not remember distinctly with whom else I may have spoken about it.

Mr. REAVIS. Well, now, this particular branch of the league was largely a creation of your suggestions?

Mr. ORTH. I think it was, sir.

Mr. REAVIS. And after it was created, you were put in charge of the work?

Mr. ORTH. Yes.

Mr. REAVIS. Now, who first suggested that, as a part of this work, a chart should be circulated through the Nation?

Mr. ORTH. Why, I suggested the chart.

Mr. REAVIS. That was your suggestion?

Mr. ORTH. That was my suggestion.

Mr. REAVIS. Now, who suggested the subject matter of the chart or the legislative or the congressional measures which should be incorporated in the chart?

Mr. ORTH. That was evolved by conversation from day to day.

Mr. REAVIS. Now, there were some suggestions, I presume, of things to be included in this chart, that did not meet the approval of those who ultimately determined the subject matter of the chart?

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Mr. ORTH. I beg pardon?

Mr. REAVIS. I mean by that, that undoubtedly somebody sugge that certain other measures should go into this chart, and after sultation you deemed it inadvisable, and they were not put in?

Mr. ORTH. I don't recall that any such incidents happened. selection was largely governed by what I have already describ win-the-war spirit.

Mr. REAVIS. But there had to be some legislative matters sel out of the 113 measures, I think it is, that came before Congre put in this chart. That is, out of the bunch, if I may use that of the legislative matters pertaining to this war, that had bee fore this Congress, some selection had to be made. You cou print them all.

Mr. ORTH. No, sir; I have often called the committee's a tion——

Mr. REAVIS (interposing). Who made the selection?

Mr. ORTH. I should say that Mr. West, Mr. Harvey, and m in consultation did.

Mr. REAVIS. And in making that selection how thoroughl you go over all the war measures that had been before Congres

Mr. ORTH. I have already testified that the four preparedness ures, which I numbered 2, 3, 4, and 5 in the chart, more neces and naturally suggested themselves on account of the previou tivities of the National Security League, in connection with particular measures, as representing measures of outstandin portance at the time that they were before the House of Rep tatives. After the four preparedness measures had been selecte

Mr. REAVIS (interposing). Just at that point, if I may inte you, that selection was made before you took over the wo which you have since been engaged.

Mr. ORTH. That selection was made, as shown by one of th hibits on record here, in July, 1916—at least the vote was tabu then.

Mr. REAVIS. Now, that is before you took over this wor course?

Mr. ORTH. That is before I took over this work. Then, wi gard to the other——

Mr. REAVIS (interposing). Just a moment, please——

Mr. ORTH (interposing). I haven't completed my answer to first question.

Mr. REAVIS. You have divided your answer into subdivision I will permit you to continue the answer, as a matter of cours I still want another question about these four that you say selected before you came in.

Do you know what research or investigation those gentlemen made these four selections made of the provisions that had before and had been acted upon by Congress?

Mr. ORTH. Only in a general way, as gathered from their co sation. They stated to me—Mr. West stated to me, and it a with my clear recollection and previously formed judgment West stated to me that these measures at the time upon which were voted prominently occupied the attention of the people country and were regarded, in the opinion of scores of thou

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f members of the Security League, as far as they could tell from
eir correspondence and as far as they could tell from the news-
apers which they received from all parts of the country—news-
aper clippings which they received from all parts of the country—
epresented basic and fundamental opinions.

Mr. REAVIS. Yes, I know, Mr. Orth. Will you read my question
gain, please?

(The reporter read the question as above recorded.)

Mr. REAVIS. Mr. Orth, I will again ask you the question, which I
lo not think your answer fully replies to. Do you know what inves-
tigation or what research those gentlemen who selected these four
measures made of the history of Congressional action with reference
to war measures or preparedness for war?

Mr. ORTH. Only in a general way.

Mr. REAVIS. Give us what knowledge you had as to the research
they made through the records of Congress with reference to these
preparedness bills, out of which they selected these four.

Mr. ORTH. I can not testify as to the research they made through
the records of Congress, by which phrase you have qualified and
limited your question.

Mr. REAVIS. Then, you do not know whether or not these four
gentlemen made any investigation of the records of Congress?

Mr. ORTH. No; but they——

Mr. REAVIS. Wait just a moment, if you please—with reference to
getting full information as to all of the many measures referring to
preparedness, which had been passed upon by that body.

Mr. ORTH. I do not know by what acts they did it, but their con-
versations with me from day to day indicated that they had made a
very thorough study of the entire question at the time.

Mr. REAVIS. In any event, you were satisfied to adopt the four
measures that had previously been adopted by the National Security
League—and I mean by the word "previously" that had been
adopted prior to your active connection with the work in which you
are now engaged.

Mr. ORTH. In view of my own knowledge and in view of my abso-
lute confidence in the integrity of the work of the National Security
League at that and other times, I was entirely willing to accept
those tests.

Mr. REAVIS. Very well. Now, we will get to your own knowledge,
then.

What other preparedness bill was before Congress prior to June
2, 1916, than those that are mentioned in the chart?

Mr. ORTH. I will be very glad to refresh my memory from a search
of the Congressional Record, and inform the committee in answer to
this question, if they wish it, and I wish again to call attention to
the fact that I do not appear here as a technical expert in congres-
sional proceedings. I have many times indicated the capacity in
which I appear, but I do not pretend to be able to answer a lot of
technical questions about the technicalities of congressional proceed-
ings, and things about which neither I nor many Members of Con-
gress could refresh their memory except by looking at the Record.

Mr. REAVIS. Now, of course, that does not answer the question,
and I am not going to be betrayed into leaving this line, but I am

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going to make this statement or ask you this question in connection with your last reply: That notwithstanding you absolutely disclaim any special or technical knowledge you still assume to pass on the record of the National Legislature and to educate the people of the United States, more than 100,000,000 people, on that record without any knowledge regarding the subject?

Mr. ORTH. I assume to include in this chart certain measures which the skill and experience of the officers of the National Security League selected at the time, and which, in my opinion, I believe was shared by many millions of the people of the country with outstanding measures at the time.

Mr. REAVIS. Now, I am still going to renew my question, that notwithstanding you have just said that you want the committee to understand that you disavow any special or technical knowledge regarding the measures that were before Congress looking to preparedness, or their ultimate effect, you still are the chairman of a committee or of a bureau of the National Security League, voluntarily formed, that had for its ultimate purpose the education of all the citizens of this great Republic on the conduct of their representatives upon the bills that were passed by them and upon their legal effect, and sent a chart to that effect throughout the Nation.

Mr. ORTH. Why, Congressman, I don't think it is quite fair to incorporate a speech like that in one of your questions. I think this committee ought to seek to arrive at the facts without attempting to get the witness to make an answer to a highly technical and legally worded question. I assume that this committee wants to investigate and not prosecute its witnesses.

Mr. REAVIS. Now, with the idea of investigating and not prosecuting the witness, may I ask the reporter to read my question, which has not yet been answered?

(The reporter read the question, as follows:)

Now, I am still going to renew my question that notwithstanding you have just said that you want the committee to understand that you disavow any special or technical knowledge regarding the measures that were before Congress looking to preparedness, or their ultimate effect, you still are the chairman of a committee or of a bureau of the National Security League, voluntarily formed, that had for its ultimate purpose the education of all the citizens of this great Republic on the conduct of their representatives upon the bills that were passed by them and upon their legal effect, and sent a chart to that effect throughout the Nation.

Mr. ORTH. I reply that I did not disavow any special knowledge. I believe the Congressman was here yesterday when I testified I had been a reader of the Congressional Record for some years past, and in my reading of the Record I believe that I received the same impressions and recollections which the average—I believe the Congressman did me the honor of calling me intelligent, or something to that effect—that the average intelligent man received. Now, when I heard of these four preparedness measures, and they were suggested to me in view of such knowledge as I had from following the events in this country in the way that every citizen follows them, and in view of such special knowledge as I may have had from the reading of the Congressional Record for some years past, they appeared to me the basis and outstanding and fundamental measures on preparedness which had come before the Congress of this country.

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Mr. REAVIS. Then, touching your knowledge that you say you had at the time you approved these war measures, can you now state to me a single bill of importance relating to military or naval preparedness prior to June, 1916, which is not included in this chart?

Mr. ORTH. I can is I am permitted to refresh my memory.

Mr. REAVIS. You would have to refresh your memory?

Mr. ORTH. I would have to refresh my memory, as most of the citizens of the United States would.

Mr. REAVIS. Now, you don't know whether there were few or many, do you?

Mr. ORTH. I don't know what you mean by "few or many."

Mr. REAVIS. Well, you don't know whether the bills relating to the preparation, military and naval, prior to June 2, 1916, were few or many?

Mr. ORTH. I should say, in the ordinary acceptation of the term, they were relatively few.

Mr. REAVIS. Now, isn't it a fact, Mr. Orth—and don't you know it to be a fact—that these four measures which you adopted and incorporated in the chart were adopted by a committee selected for that purpose?

Mr. ORTH. I know that, sir.

Mr. REAVIS. Of which Col. Lydecker was a member?

Mr. ORTH. I beg your pardon. I misunderstood your question. I thought you referred to some House committees that had adopted these.

Mr. REAVIS. No; I will ask you again: Were these four measures to which you have just referred, and which were subsequently incorporated in this chart, the product of an investigation of a committee of the National Security League, of which Col. Lydecker was a member?

Mr. ORTH. I don't know of anything which would correspond to the word "investigation," which led to those measures being presented.

Mr. REAVIS. Then, may I ask you if it was the product of a committee appointed by the National Security League?

Mr. ORTH. I don't even know that, sir. It was two years before my connection with the league, and I have no detailed knowledge of what happened at that time.

Mr. REAVIS. You only know that they were submitted to you as four measures which had previously been agreed upon by those in authority of the league, and that you adopted them as a part of your plan of education?

Mr. ORTH. Yes, sir.

Mr. REAVIS. And you were told that they had been previously agreed upon by Mr. West and by Mr. Foster, or Mr. Harvey?

Mr. ORTH. No; I did not make any such statement.

Mr. REAVIS. I am asking you the question.

Mr. ORTH. The answer is, No.

Mr. REAVIS. Who did tell you that they had been previously agreed upon?

Mr. ORTH. Mr. West and Mr. Harvey did. You asked me whether they had been previously agreed upon by Mr. West and Mr. Harvey.

Mr. REAVIS. No; I asked you nothing of the kind. I asked you if

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you were told by Mr. West and by Mr. Harvey that these four provisions had been previously agreed upon by the league.

Mr. ORTH. Yes; I was so told.

Mr. REAVIS. And you adopted and accepted those four measures as a part of your educational campaign?

Mr. ORTH. I adopted and accepted those four measures as part of my educational plan, partly because of what I was told by Mr. West and by Mr. Harvey.

Mr. REAVIS. Now, you submitted the first one, which was your own product, the McLemore resolution, to Mr. West and Mr. Harvey?

Mr. ORTH. The inclusion of the McLemore resolution in the chart came about in the following manner: Discussion was had regarding the proper measures to include as representing 100 per cent Americanism, and we discussed in the office the following communication:

MARCH 20, 1918.

MY DEAR MR. DAVIES: This acknowledges your letter of March 12. It is with sincere regret that I accept your resignation as a member of the Federal Trade Commission, but I must commend the patriotic impulse which urges that action on your part.

May I not express to you my warm appreciation of your sympathetic cooperation during the early part of this administration in bringing about the adoption of all those measures which we had promised the people, and which I have abiding confidence will ultimately redound to their lasting benefit?

May I also add a word of thanks to you for your steadfast loyalty and patriotism during that trying period before we were thrust into the war, while to avoid becoming involved therein every effort was being made aggressively to assert and fearlessly to maintain American rights? The McLemore resolution, the embargo issue, and the armed neutrality measure presented the first opportunities to apply the acid test in our country to disclose true loyalty and genuine Americanism.

WOODROW WILSON

Mr. REAVIS. Now, that was written in the Wisconsin election?

Mr. ORTH. I believe that was written in the Wisconsin senatorship election.

Mr. REAVIS. When was that election?

Mr. ORTH. I believe it was in April, 1918.

Mr. REAVIS. In April, 1918. Now, you adopted the President's idea of the McLemore resolution then, and because of that letter, as I understand you, you incorporated it in your chart?

Mr. ORTH. We adopted, as a guide to what we should incorporate in the chart as measures disclosing true loyalty and genuine Americanism, suggestions which had been made by the President of the United States.

Mr. REAVIS. And for that reason it was put into the chart as the first subdivision of the eight acid tests?

Mr. ORTH. And for that and other reasons it was put into the chart; and for that and other reasons the McLemore resolution and the Cooper amendment were put in the chart.

Mr. REAVIS. Now, what were the other reasons?

Mr. ORTH. The other reasons were a unanimous and very strong opinion and impression on the part of everybody connected with the National Security League that the overwhelming sentiment of the American people at the time these matters were before Congress had designated them in the same way that the President had designated them.

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Mr. REAVIS. And yet the only time that the people had had an opportunity of passing on the question of the McLemore resolution was in the election of Wisconsin, where the verdict of the people was directly contrary to what you now say was the unanimous sentiment of the people?

Mr. ORTH. I don't so understand it.

Mr. REAVIS. Senator Lenroot was elected, wasn't he?

Mr. ORTH. Pardon me, I can only answer one question at a time.

Mr. REAVIS. You said you didn't so understand it, but you answered the question——

Mr. ORTH (interposing). I had not finished by answer. I want to answer questions in my own way, sir. Will you kindly repeat the question?

(The reporter read the question, as follows:)

And yet the only time that the people had had an opportunity of passing on the question of the McLemore resolution was in the election in Wisconsin, where the verdict of the people was directly contrary to what you now say was the unanimous sentiment of the people?

Mr. ORTH. The answer is, No; the people had an opportunity of passing on the McLemore resolution in 1916.

Mr. REAVIS. But in 1916 don't you know that most of the men who voted for the McLemore resolution were returned to Congress?

Mr. ORTH. Yes; I know that.

Mr. REAVIS. And don't you know it was not an issue in the election of 1916 in any way?

Mr. ORTH. No; I don't know that.

Mr. REAVIS. In what portion of the Nation was it an issue?

Mr. ORTH. Why, I don't know, but I have a keen recollection of having seen more or less newspaper matter which indicated that the McLemore resolution was a thought, and to that extent an issue in the minds of the people at the election.

Mr. REAVIS. I would be very glad, Mr. Orth, if you, as one who claims to know what the almost unanimous sentiment of the American people was on eight measures in Congress, and who to derive such information must necessarily keep in pretty close touch with public sentiment—I would be glad if you would tell me if there was a single congressional district out of the 435 in the election of 1916 where the McLemore resolution was an issue.

Mr. ORTH. I can not pretend to remember 435 districts. I will be very glad to refresh my memory and to answer your question.

Mr. REAVIS. Can you remember one out of the 435 where the McLemore resolution was an issue at that time?

Mr. ORTH. No; I can not, distinctly.

Mr. REAVIS. Now, then, it was voted upon by Congress before the election of 1916, was it not?

Mr. ORTH. Yes.

Mr. REAVIS. And practically every man who voted against tabling the McLemore resolution was returned to Congress, as you say?

Mr. ORTH. Well, I believe that to have been the case.

Mr. REAVIS. It was then made an issue in the senatorial election in Wisconsin in the spring of 1917 by the letter of the President?

Mr. ORTH. It was.

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Mr. REAVIS. And the people again at that time returned to the Senate a man who voted against tabling the McLemore resolution?

Mr. ORTH. They did.

Mr. REAVIS. Now you tell me something in the presence of such a record, expressing the wishes of the American people, that led you to believe that almost the unanimous sentiment of the American people was against the McLemore resolution?

Mr. ORTH. I can not at this moment tell you anything, but I still persist in the opinion that that was not representative of the opinion of the majority of the American people.

Mr. REAVIS. Notwithstanding they had an opportunity in the election of 1916 of expressing their approval or disapproval of it in every congressional district in the Nation, and their attitude expressed an approval of it; and notwithstanding the further approval in the senatorial election in Wisconsin; in the presence of those expressions, and without being able to give a single thing upon which to base it, you still tell me that you put this McLemore resolution in, and your interpretation of it in your chart, because it was expressive of the unanimous sentiment of the American people?

Mr. ORTH. I answer that question by stating that you are seeking to adduce testimony regarding the things which were included in the chart in July, 1918, by conditions which existed in 1916, and that they are immaterial and irrelevant to the question upon which you are examining me.

Mr. REAVIS. Mr. Chairman: Mr. Johnson, I think it is time that it should be called to the attention of the committee, and I am going to presume to do it, that I have been interrogating this witness now since late yesterday afternoon, and there is a constant evasion. The answers that he seeks to give to the questions are not, in most instances, remotely connected with the question. I would like to have the witness directed to answer these questions. We are making a terrible volume here.

Mr. JOHNSON. The chairman of the committee will say, in answer to that, that in my opinion if this witness had been testifying before any court in the land he would have been in jail long ago, and that the committee has been most indulgent indeed with him, because of his unmistakable intention to evade questions—to evade answering questions—the motive for which I will not undertake to suggest, but if there is a motion made now or later to arraign the witness before the bar of the House for contempt of the House, I will be very glad indeed to take the sense of the committee on that subject, and if it is voted to arraign the witness I will be very glad to prosecute it on the floor of the House.

Mr. REAVIS. I have no desire to make any motion to arraign the witness, but I have a very great desire to cut down this examination to some legitimate length, and I would like to have the witness admonished by the chairman of this committee to answer these questions.

Mr. ORTH. Mr. Chairman——

Mr. JOHNSON (interposing). The chairman will ask the witness in the future to answer questions with at least some degree of directness, and not pursue the method which he has pursued during three days or more, of unmistakable evasion.

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Mr. ORTH. Mr. Chairman, I desire to state to the committee that the construction put upon my testimony by the members of the committee is totally and utterly at variance with the state of my mind and with my intentions and desires, and I was under the impression that my attitude on the witness stand would distinctly have conveyed such an impression. I regret if any such impression exists, and I will do my utmost hereafter, as I have been doing in the past, to state all essential facts that I know in answer to the questions.

Mr. REAVIS. Now, Mr. Orth, if you will do that, I know that you and I will get along splendidly.

Mr. ORTH. I have been trying to do that.

Mr. REAVIS. I haven't anything but the very kindliest feelings toward you.

Mr. ORTH. I further desire to ask, Mr. Chairman, if I have any legal rights before this committee? Have I the right to be represented by counsel?

Mr. REAVIS. Well, if there is any question about it, I would move, Mr. Chairman, that he be given that right, if he wants such a privilege.

Mr. JOHNSON. In what way would you suggest that counsel represent you before this committee?

Mr. ORTH. By advising me as to the propriety and relevancy and materiality of the questions which are asked me to the work which the committee was directed by Congress to prosecute.

Mr. JOHNSON. You have that right without the consent of the committee.

Mr. ORTH. Well, it seems to me—my best recollection is that the statement which I made to the effect that a question was irrelevant and immaterial has brought on the present discussion.

Mr. JOHNSON. But your attorney would not be left to determine that for you; the committee in the first place would determine it, and the House in the next place.

Mr. ORTH. Might I ask if I have the right to decline to answer a question until I have the advice of counsel?

Mr. JOHNSON. You have the right to decline to answer questions and take the consequences.

Mr. ORTH. I can't decline to answer questions with the promise to answer when I consult counsel?

Mr. JOHNSON. You can not decline to answer questions without taking the consequences.

Mr. WALSH. Well, Mr. Chairman, I understand he can decline to answer a question until he has consulted his counsel.

Mr. JOHNSON. Providing the committee agrees to it only. In that way we would certainly not get through before the 4th of March, and if the witness is permitted to go along with his evasiveness in the way in which he has gone along so far, we won't get through by that time anyhow.

Mr. ORTH. Mr. Chairman, I beg to object to your statement, your continued statement, that my testimony is evasive. I have stated that I have tried to be perfectly honest.

Mr. JOHNSON. We are not trying to do anything else except agree with Mr. Reavis, who is questioning you, that you have been unquestionably evasive.

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Mr. HARRISON. I would suggest, Mr. Chairman, if the witness thinks he needs an attorney, that he get an attorney, if he wants to, so we can proceed.

Mr. JOHNSON. The chairman has already said to him that he has that right without the consent of the committee.

Mr. ORTH. If an attorney has no right or authority before this committee, of course to secure one would be an empty proceeding.

Mr. REAVIS. Well, Mr. Orth, you must readily concede upon the common sense of the proposition that your right to answer a question or to decline to answer a question could not be determined by a lawyer who is not on the committee. Otherwise, all he would have to do would be to tell you not to answer, and the committee would get no testimony at all.

Mr. ORTH. But it is a very difficult thing, gentlemen, for an ordinary citizen to appear before a committee of seven lawyers and to try to hold up his own end. Now, I want to repeat to all of you gentlemen that notwithstanding any statements which you have made, or any impressions which you have, I have been trying to do my—I would like to use a word, but I won't—I have been trying to do my utmost to tell the honest truth to you gentlemen and bring before you any possible essential fact bearing on the work of this committee. I have nothing to hide; I am not ashamed of any thing I did, in season or out of season, in connection with this work, and I am perfectly willing to have you come up to my office and sit down and look at every paper and investigate every detail that there is there.

Mr. REAVIS. Nobody is disputing that.

Mr. ORTH. I thought there was. I thought a distinct impression to the contrary had been made.

Mr. REAVIS. So far as I am concerned, the attitude that I have—it may not be indicated correctly by what I have said or done—is anything but unfriendly to the witness. I want you to understand that, but I do want you to understand further that your manner on the stand has impressed me that you are doing yourself a grave injustice by seeking to defend what the league has done rather than to answer frankly the questions that are put to you. You have gone out of your way repeatedly, and have put yourself in a false light, in my judgment, a light that is unworthy of you, not in attempting to defend anything that you have done, but in attempting to defend what others have done, and I think in fairness to yourself you ought not to do that.

Mr. ORTH. I would like to say, Mr. Congressman, that with respect to any questions connected with the work of the congressional committee, that what I have done, the league has done; what the league has done, I have done. They are almost indivisible as a matter of fact and as a matter of morality.

Mr. REAVIS. Now, suppose you and I try to get along for a few minutes.

Mr. ORTH. I will be very glad to, and very glad to assist you in any way I can, provided you will not insist upon my trying to answer some of these abstract legal questions, which I would like to answer if I can, but can not. I don't know how to answer them.

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Mr. REAVIS. I will try to make my questions just as simple as I can. You state that in the election in the fall of 1916 the McLemore solution was an issue, do you not?

Mr. ORTH. I stated that in the election in the fall of 1916 the McLemore resolution was in the minds of some people in the United States, probably a great many.

Mr. REAVIS. And that most of those who voted against tabling that resolution, which is the basis of your complaint in the chart, were returned to Congress?

Mr. ORTH. I believe that to be the case.

Mr. REAVIS. Now, you state further that it was an issue in the senatorial election in Wisconsin in the spring of 1917, and was made directly an issue by a letter of the President?

Mr. ORTH. In the spring of 1918 it was an issue.

Mr. REAVIS. I mean 1918. And that the man who voted against tabling the resolution, notwithstanding the participation of the President in that election against him, and notwithstanding he voted against the resolution, was elected to the United States Senate. Now, you say that——

Mr. ORTH (interposing). That is undoubtedly correct.

Mr. REAVIS. You have further made the statement that you put the McLemore resolution in your chart as a part of the subject matter of that chart, and that you put the construction of the McLemore resolution in that chart because you were very certain in your own mind that you were putting it in there in accordance with the almost unanimous sentiment of the American people. Isn't that true?

Mr. ORTH. At the time that it was put in the chart; that is perfectly correct, sir.

Mr. REAVIS. Now, then, I want you to tell me when the only time the people had had an opportunity to express themselves upon it, when they expressed themselves upon it at least indirectly in every congressional election in 1916, and again in the senatorial election in Wisconsin in the spring of 1918, where you got the impression that the almost unanimous sentiment of the American people on that resolution was contrary to their own expressions in the elections of 1916 and in the spring of 1918.

Mr. ORTH. I got it through the very prominence which was given it by the President—his several references, I believe, to it—and the acceptation, apparently, of the press of the country of the fact that the McLemore resolution—the voting on the McLemore resolution—in 1918 was in issue.

Mr. REAVIS. Now, then, you get your ideas of the almost unanimous sentiment of the American people on the McLemore resolution, as I understand you, first from the expressions of the President on it and next from the reading of the Literary Digest—and that other magazine; I can't recall it.

Mr. ORTH. No, Congressman; you leave out of consideration that, as I testified yesterday, the National Security League receives constantly at its office clippings from newspapers from every part of the country, on the subjects in which the league is interested, to an extent that I can not specify of my own knowledge but which people here can tell you about.

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Mr. REAVIS. But you didn't read those clippings, did you?

Mr. REAVIS. I did not; but the gentlemen who advised me did.

Mr. REAVIS. But you told me that the four measures for which you were not responsible did not comprehend the McLemore resolution; that is, that there were four measures in this chart that had been determined by some authority other than yourself, but that you were responsible for the McLemore resolution getting into this chart?

Mr. ORTH. Yes.

Mr. REAVIS. And that you told me the reason you put it in the chart was because you thought it was in harmony with the almost unanimous sentiment of the American people?

Mr. ORTH. Yes; as suggested by the President.

Mr. REAVIS. Then I asked you how you derived the almost unanimous sentiment of the American people, and your answer is, by newspaper clippings which you now say you have never read.

Mr. ORTH. I told you I was consulting constantly with the gentlemen whom I told you had been reading them.

Mr. REAVIS. You also told me that you did not consult with any of them until after you submitted the McLemore resolution to them as a part of the chart?

Mr. ORTH. That is correct, sir; but, then, as part of their knowledge resulting from the reading of these clippings, when otherwise they concurred in my selection.

Mr. REAVIS. I am not asking about their concurrence; I am asking about the mental operations of the men who first put it in the chart, and you, in answer to that question yesterday, told me that you did it because it was in harmony with almost the unanimous sentiment of the American people.

With the idea of ascertaining upon what you base that judgment, I called to your attention the election of 1916, where the sentiment of the American people, as indicated in that election, was contrary to what you thought, and I called to your attention the senatorial election in Wisconsin in 1918, where the expressed sentiment of the American people was again contrary to what you thought, and come down to the proposition and ask you now upon what did you base your idea that the almost unanimous sentiment of the American people is in harmony with the first subdivision of this chart, when every expression of all the American people had been against what you put in this chart?

Mr. ORTH. Why, I based my opinion upon the extent of my then knowledge, which had been accumulated in the manner in which I told you.

Mr. REAVIS. Tell me again if you will?

Mr. ORTH. Pardon me, let me answer you further by saying that at that time the opposition of that opinion, such opposition as that opinion may have had with the result of the elections of 1916 and the senatorial election in Wisconsin in 1918, never entered my head.

Mr. REAVIS. You never thought of it?

Mr. ORTH. I never thought of it at all.

Mr. REAVIS. You never once took into consideration, in ascertaining the sentiment of the American people, what the American people *themselves* had said on it?

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Mr. ORTH. I did not. But my opinion still is that the American people felt as I have described, and they have adequately proven it, I think.

Mr. REAVIS. But to find the almost unanimous sentiment of the American people, which you have spoken of so constantly here, you ignored what the American people themselves said and took the advice of Mr. Harvey?

Mr. ORTH. No; I took not only what the American people as represented by their newspapers had said, but I also took the opinions which I had read in the Congressional Record.

Mr. REAVIS. But just a moment ago you told me that what the press had said you did not read.

Mr. ORTH. I did not say that. I said that these clippings which were read by Mr. West and Mr. Harvey in 1916 I did not read, but I did not say that I did not read the press at all.

Mr. REAVIS. But, Mr. Witness, on yesterday—and I know you will recall it very clearly—I asked you on what you based your idea of the unanimous sentiment of the American people, and you told me this: That you talked with one man in the corridors of the Capitol, and you talked with your partner in your own office in New York; that you read the Literary Digest, Current Opinion, and the Congressional Record; and from those three publications, and from a conversation had with two men, one of whom you did not know and can not remember, you immediately became in possession of the unanimous sentiment of the American people? Isn't that a fair statement of what you said?

Mr. ORTH. It is a fair statement of part of my testimony here, Congressman, but I don't think it really leads to the conclusion you imply.

Mr. REAVIS. If I omitted anything that controlled your mental operations in determining the unanimous sentiment of the American people, will you tell me what I omitted?

Mr. ORTH. I submit that on any given time the average citizen, by some means which I can only designate as psychology, has a pretty clear opinion of how people feel. Now, two weeks ago I think that—of course you gentlemen have perhaps a different viewpoint, because you have certain channels of information and all that sort of thing which we do not have, but I think two weeks ago the average citizen of the United States knew in his bones that prohibiton was going to be accomplished. Now, how did he know it? I think you know he knew it.

Mr. REAVIS. That was a cinch. [Laughter.]

Mr. ORTH. I don't think it was in the mind of the average citizen, by any manner of means. Now, that is the same sort of knowledge I had on some of these things.

Mr. REAVIS. Now, I want to ask you, in all fairness, when you prepared this chart, how many American people do you suppose had ever heard of the McLemore resolution?

Mr. ORTH. It is a very difficult question. I should say that when I prepared that chart, in June, 1918, that at least 50 per cent of the newspaper readers all over the United States had a conscious knowledge of the McLemore resolution.

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Mr. REAVIS. Mr. Witness, by "conscious knowledge" you mean that they had a knowledge that such a resolution had been a matter of legislation in the House?

Mr. ORTH. Yes, and that if the thing was again referred to, for instance, they would recognize it and be able to discuss it.

Mr. REAVIS. But half the people, in your estimation—and it is only an estimate, of course—were appraised of the fact that not only was there a resolution, but what the subject-matter of the resolution was?

Mr. ORTH. Half the newspaper readers, I think I said, of the country.

Mr. REAVIS. Half the newspaper readers. Now, would you limit the information—this is only an estimate; it couldn't be accurate, but I merely want your state of mind—your idea would be, then, that half the newspaper readers of America, at the time you prepared this chart, were conscious of the fact that the McLemore resolution had been a matter of comment—had been proposed as a matter of legislation in the House—and knew in a general way the contents of that resolution?

Mr. ORTH. Yes; and that their memory had been very much refreshed and enlivened by the President's letter, which I have read into the record, and the consequent newspaper references to it at that time.

Mr. REAVIS. How do you harmonize that with the statement made to me yesterday that you put this resolution in the chart and placed a certain construction on the effect of this resolution, because you thought in so doing you were meeting the ideas of almost the overwhelming majority of the American people?

Mr. ORTH. I think it is a question of time, sir. Bear in mind that this was done in July, 1918, when the state of mind which we last arrived at under your examination was existent.

Mr. REAVIS. Then that state of mind that you say existed at the time you made this chart was the state of mind of approximately half the newspaper readers, which lacked a good deal of being the overwhelming majority of the American people.

Mr. ORTH. Congressman, it is an exceedingly clever question and a very difficult one to answer. I told you—I testified as nearly as I could remember, and I am sincerely trying to remember it as it was—that half of the American people had a conscious knowledge of it at the time that the McLemore resolution was first known about, in 1916; that that recollection had been considerably revived, and I believe that, with the revival that followed, that then, in 1918, when this was included in the chart, I made a correct statement yesterday with regard to the overwhelming sentiment of the American people.

Mr. REAVIS. Now, I don't know whether it is my fault—and if it is I regret it very much—in not understanding your replies, but that does not seem to answer the question.

I asked you the question, and I tried to put it so that there would not be any confusion about it, as to how many people you thought even knew of this resolution at the time you prepared this chart, and your reply was that you th[illegible] half of the newspaper readers of the United States knew of [illegible]tion at that time.

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Mr. ORTH. I beg to assure you that it was not a conscious thing in my mind that you meant how many people knew of it at the time the chart was prepared. I was thinking absolutely——

Mr. REAVIS (interposing). That was what I meant.

Mr. ORTH. I am sorry I answered wrong.

Mr. REAVIS. Then, I want to ask you again, what proportion of the American people do you think even knew of this resolution and its subject matter at the time you prepared this chart?

Mr. ORTH. At the time that this chart was prepared I believe that the McLemore resolution was known to at least 75 per cent of the newspaper readers of the United States.

Mr. REAVIS. Now, you understand thoroughly my question, don't you?

Mr. ORTH. Basing on the time that the chart was prepared, that is quite clear; yes, sir.

Mr. REAVIS. Now, by "newspaper readers" you mean the readers of the daily papers which contain current events?

Mr. ORTH. No; I mean the readers of all papers, including, for instance, a paper like the Saturday Evening Post, which has millions of readers; including all the weekly periodicals, which have millions of readers; including even monthly magazines, which refer very frequently to these topics.

Mr. REAVIS. What I had in mind in asking you that question is that in the smaller communities there are a great many little local papers who make no attempt to publish current events; that merely have matters of local interest, and I had in mind that they should be eliminated.

Mr. ORTH. Well, I was not eliminating them, because in my experience in the league I may say to you that I have noticed that the clippings which we get from these little local papers with circulations of 1,500 and 2,000, according to the newspaper directory, show a very active interest in these subjects.

Mr. REAVIS. Well, my observation has been quite the contrary. But that is a matter of no moment in this record.

Now, then of the 75 per cent of the people who knew of it at the time you prepared this chart what were the sources of your information as to the feeling of the 75 per cent who knew of it as to the merits of the resolution?

Mr. ORTH. Why, the reading of the newspaper clippings which the National Security League received; the reading of the daily newspapers of New York City, which not only expressed their own opinion but very frequently contained telegrams from every State, from newspapers in every State of the Union, especially the New York Times, and giving opinions on prominent subjects; reading of the Literary Digest, Current Opinion, the Outlook, and similar newspapers and general conversation.

Mr. REAVIS. Now, upon reading the newspapers and periodicals you determined in your own mind the disposition of the American people on the McLemore resolution?

Mr. ORTH. On reading the newspapers and periodicals and the other things which I stated in my previous answer.

Mr. REAVIS. Your conversation with two gentlemen and the reading of the Congressional Record?

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Mr. ORTH. And the reading of the clippings which the National Security League secured at that time.

Mr. REAVIS. I incorporated, or I intended to incorporate that. Now, you took that as conclusive of the sentiment of the American people, even though it was contrary to the expression of the American people in the fall of 1916 and contrary to the expression of the people in Wisconsin in the spring of 1918?

Mr. ORTH. Pardon me, Congressman. I want to add to my previous answer the vote in the House on the McLemore resolution was very illuminating of the reflection of the opinion of the American people.

Mr. REAVIS. But a part of your criticism of Congress has been that Congress was not always expressive of the wish of the American people.

Mr. ORTH. I shall have to amend that if it is a statement of my opinion, to the effect that some Members of Congress, not Congress in itself——

Mr. REAVIS (interposing). But the session of Congress, or the House of Representatives, on this was not, in July, 1918, when you prepared the chart; but in March, 1916, wasn't it?

Mr. ORTH. But the evidence existed when I prepared the chart.

Mr. REAVIS. And also the evidence existed of the action of the American people themselves in the fall of 1916, after Congress voted on that resolution.

Mr. ORTH. It did, sir.

Mr. REAVIS. Which is contrary to the opinion you formed from the vote in the House.

Mr. ORTH. That was contrary to the opinion which I formed.

Mr. REAVIS. Now, Mr. Orth, fairly between us, which do you think is the better criterion as to the wishes and desires and thoughts of the American people, what the Members of the House say, what the Literary Digest and the New York newspapers say, and other papers, clippings from which came into your league—what they said or what the people themselves said?

Mr. ORTH. Why, I don't think there is but one answer to your question, but you are implying, or rather you are ignoring in that question, the timing of these things. There is a very essential difference between what people think one day on a certain thing and what they may think on another, and that is what exists in this case.

Mr. REAVIS. Yet you were offering me, as one of the reasons for determining the sentiment of the American people, what Congress did in the spring of 1916. Now, time had no effect on that, in assisting you to the determination of the unanimous sentiment of the American people?

Mr. ORTH. No; I understand.

Mr. REAVIS. Now, Mr. Orth, kindly try to answer my question. Which is the better indication of what the people think, the expression of their Representatives in Congress or the expression of the people themselves. That ought to be very easy to answer. It almost answers itself.

Mr. ORTH. Yes; it is the expression of the people themselves.

Mr. REAVIS. Let us carry it a step further. Which is the better *indication* of the wishes and desires of the people, what the news-

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papers say, no matter how widely distributed nor how unanimous they may be, or what the people say?

Mr. ORTH. Why the same thing, if it can be found; if the expression of the people can be found in any other way.

Mr. REAVIS. Well, now, the people expressed themselves by their vote, and that is the only method of getting a general expression, isn't it?

Mr. ORTH. The people expressed themselves by their votes in 1916; yes, sir.

Mr. REAVIS. Now, in 1918, when the President wrote to the State of Wisconsin, the McLemore resolution is one of the acid tests of a Representative's loyalty, and Mr. Lenroot was wrong on that, and that he should therefore be defeated, and the McLemore resolution became the one leading issue in that campaign——

Mr. ORTH (interposing). One of the three leading issues.

Mr. REAVIS. But it was one of the leading issues?

Mr. ORTH. One of them.

Mr. REAVIS. And was injected into the campaign by the President himself, who used the word "loyalty" in connection with it, and when the people came to vote they elected a man who voted against the tabling of the McLemore resolution. So we had an expression of the people as early as the spring of 1918.

Mr. ORTH. We had an expression of the people of Wisconsin.

Mr. REAVIS. Now, let me suggest another significant fact to you. More Republicans in the House voted against tabling the McLemore resolution than there were Democrats.

Mr. ORTH. I believe so.

Mr. REAVIS. Yet when the people came to express their choice between those two parties, they elected more of the Republicans than they did the Democrats. Would you say that that was an expression of how they thought about it?

Mr. ORTH. They elected more Republicans in 1916 than they did Democrats?

Mr. REAVIS. Yes; and again in 1918, the majority being even larger in 1918 than it was in 1916.

Mr. ORTH. And what is the question in connection with it?

Mr. REAVIS. I say, more Republicans voted against tabling the McLemore resolution than Democrats, and yet when the people came to express themselves as between the two parties, following the vote on the McLemore resolution, they elected more Republicans than they did Democrats. Would that aid you in finding out what the people thought of the McLemore resolution?

Mr. ORTH. That would, so far as the McLemore resolution in itself considered alone, was concerned, it would have been; yes, sir.

Mr. REAVIS. Now, we found what the people said in the election of 1916; we found what they said in the senatorial election in Wisconsin in 1918. Now, kindly pay attention to my question. Will you cite me to any indication coming from the people themselves that is contrary to their expression in the election of 1916 and the senatorial election in 1918 on the McLemore resolution?

Mr. ORTH. No; I can cite no such case, except along the lines which I have previously indicated.

Mr. REAVIS. Then I want to ask you one further question. Do you still say that you were justified in putting No. 1 in your chart on

the McLemore resolution because it was in harmony with the almost unanimous sentiment of the American people?

Mr. ORTH. I conscientiously believe that to be the case, sir.

Mr. REAVIS. Well, I just wanted your opinion on it and how you arrived at it, and we have got that.

Now, I dislike to spend so much time on this resolution, but this misrepresenting of the record of Congressmen is rather a serious matter, not only to the Congressmen but to the people generally. It has become quite popular to abuse Congress and to ridicule it and speak of it contemptuously, but one of the things that is very essential in a Republic is that the people have confidence in those who are administering the affairs of the Nation, and I sometimes think it is a very reprehensible practice, and I want to find out candidly from you as to whether you think you were quite fair to the Members of the House in the McLemore resolution subdivision of your eight acid tests. Do you think you were?

Mr. ORTH. What do you mean by "subdivision"?

Mr. REAVIS. I am speaking—probably that is an inaccurate statement—but I am speaking of the first acid test.

Mr. ORTH. You mean my description of it in the chart? You mean, was I quite fair in my description of it in the chart?

Mr. REAVIS. Were you quite fair in presenting to the American people the McLemore resolution in the language that you did present it, and the vote of the Congressmen designated right or wrong? Were you quite fair to the Members of the Congress?

Mr. ORTH. I believe, Congressman, that substantially and essentially I was quite fair.

Mr. REAVIS. You know I am getting to dislike that word "substantially."

Mr. ORTH. I am sorry. It is a good English word and a permissible word.

Mr. REAVIS. But I am not asking you whether you were substantially fair. You know loyalty, virtue, honesty, and truth are not questions of degree. A woman is either virtuous or she is not virtuous, and a man is either loyal or he is not loyal. I never could understand what you mean by "100 per cent loyalty." A man is either honest or he is not honest; and if he steals a dollar he is just as dishonest as if he steals a million—probably more so—because it doesn't take much to make him a dishonest man. The temptation is not so great. Now, a man is either fair or he is not fair; not "substantially" fair, but fair.

Mr. ORTH. Congressman, I don't agree with what you say. I believe that a man can be—and that most people are—in practically every element of life, substantially virtuous or substantially truthful or substantially honest, and so forth.

Mr. REAVIS. And the average American citizens sometimes make mistakes, don't they?

Mr. ORTH. They surely do; always.

Mr. REAVIS. You have, too?

Mr. ORTH. Yes.

Mr. REAVIS. Do you think Lydecker and Menken knew it?

Mr. ORTH. That I made mistakes?

Mr. REAVIS. That you were capable of making mistakes?

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Mr. ORTH. Why, if I made mistakes they would know it.

Mr. REAVIS. I thought they were men of such vision and foresight, such supermen that they could not make a mistake, and that they could not have anyone around that could.

Mr. ORTH. I never thought of them as not being liable to make mistakes.

Mr. REAVIS. I am not doing them an injustice, but I am accepting their own versions of themselves as they state it in the record.

Mr. ORTH. If you took that then you make a mistake.

Mr. REAVIS. Even Congressmen can make mistakes, can't they?

Mr. ORTH. They surely can.

Mr. REAVIS. And they do frequently.

Mr. ORTH. That's evident.

Mr. REAVIS. The only men in Congress that never made a mistake—I know some of them, but I do not care to give names now—are men that never did anything. That fellow has got a clean record—made no mistakes.

Mr. ORTH. May I ask who he is?

Mr. REAVIS. I beg your pardon.

Mr. ORTH. May I ask who he is?

Mr. REAVIS. I do not care to mention names. I have known several men who have never made mistakes in Congress, and I may add, that I don't think they ever will; but you don't say that a man made a mistake about those things. You said he did something that reflected upon his loyalty. Now, disloyalty is a pretty harsh statement, isn't it?

Mr. ORTH. Yes; and I do not think you will find that I used it in the chart.

Mr. REAVIS. Your league used it in your bulletin.

Mr. ORTH. No; in sending it out, they did not.

Mr. REAVIS. They used it with reference to their congressional activities, didn't they?

Mr. ORTH. They did occasionally.

Mr. REAVIS. That was the activity in which you were engaged?

Mr. ORTH. Yes; that is——

Mr. REAVIS. And they used the chart as the basis from which a man's loyalty was to be determined?

Mr. ORTH. They did?

Mr. REAVIS. Did they not say that in here?

Mr. ORTH. Well, they were simply doing what the common and general opinion of the country was doing. That was what every newspaper in the country was doing, as you know as well as I know—I can not demonstrate it legally—every man by word of mouth was doing.

Mr. REAVIS. Well, the general public have a pretty well-defined opinion, especially when their Nation is at war, as to what the word "loyalty" means.

Mr. ORTH. Yes; and may I say that I do not agree with the idea that during the war the words "loyalty" or "disloyalty" meant loyalty or disloyalty or might be called a treasonable action. I believe that half the people all over the country used the word in quite a contrary sense.

Mr. REAVIS. Do you mean that in times of war when you say to a man, either by word of mouth or otherwise, to the average man—and

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it would not be a very safe thing to say by word of mouth during war, but either by word of mouth or in a publication—"You are a disloyal man," that anybody would mistake what you meant?

Mr. ORTH. Well, I honestly believe that the condition was as I have stated.

Mr. REAVIS. Well, now, Mr. Orth, let's bring it right down to you and me. I didn't know you. I would add that there, before you became a witness here. Suppose I would accost you on the street. I a perfect stranger to you, and had said to you: "I know you and know your ideas, and you are a disloyal man;" they would have called a policeman in the near future, wouldn't they?

Mr. ORTH. Almost certainly.

Mr. REAVIS. Certainly; and you would not be at all mistaken as to the meaning of the word, would you?

Mr. ORTH. No, sir; if you were a stranger and we didn't know and understand each other's state of mind.

Mr. REAVIS. Suppose I had come to you and said to you, "Orth, you are entertaining opinions that are contrary to the almost unanimous opinions of the people of this Nation," you and I would have had an argument, but we would not have had a fight, would we?

Mr. ORTH. No.

Mr. REAVIS. Now, when you were characterizing men over here that were burdened with responsibilities, when we were approaching the shadow of war, and a great many Congressmen were walking the streets at night thinking it over and thinking of the quiet places out over the Nation, thinking of the boys who would go far away if they disturbed the peace and quiet of the country—when we were burdened with those things and were doing the very best we could, you published a chart, and literature following the chart, containing the statement that Congress was out of harmony with the unanimous sentiment of the American people; but you stated Congressmen whose names were published are not loyal. Why didn't you say what you meant?

Mr. ORTH. Why, so far as I was personally concerned I did say what I thought.

Mr. REAVIS. Did you mean that when I voted against tabling the McLemore resolution I was disloyal to my country?

Mr. ORTH. No, sir.

Mr. REAVIS. Do you mean it now?

Mr. ORTH. I have told you already that that was not the meaning I ever had in mind.

Mr. REAVIS. But that is what you said.

Mr. ORTH. No; I testified here yesterday that that was not the intent that I had in mind when I used the word "disloyal."

Mr. REAVIS. But that is what you said, no matter what your intention was.

Mr. ORTH. I know; but the words——

Mr. REAVIS (interposing). You did not explain to the Nation your intention.

Mr. ORTH. But, Congressman——

Mr. REAVIS (interposing). You merely said, "Not loyal."

Mr. ORTH. But here is——

Mr. REAVIS (interposing). If I accosted you that way on the streets of New York it would have had only one interpretation?

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Mr. ORTH. As a stranger; yes; without understanding each other's state of mind, or without having——

Mr. REAVIS (interposing). Now, if men—I want to be fair about this thing—we are over here admitting our mistakes, I am admitting a great many, almost sometimes to the point of disappointment in myself, but we are over here doing what we can, we are bearing burdens that no other man would bear in private lift for the compensation that we are getting for it, and after we have done that you say, "I had the idea in my mind as a part of the educational bureau of this league that Congress was out of harmony and its votes were out of harmony with the almost unanimous sentiment of the American people." Now, if that was what you intended to express, why didn't you express it; why did you say we were not loyal?

Mr. ORTH. Why, adopting one of your own phrases, I am not the superman who has the capacity to express every possible attitude of thought or opinion that can always be construed the same at any particular time. I simply try to express what was in my mind.

Mr. REAVIS. Let me ask you this: Will you not acknowledge that when your league uses the expression "loyalty" without qualification, and without explanation, which you have, can only have one meaning if I used it to you, were you quite fair to the Member of Congress?

Mr. ORTH. I believe, Congressman, that we were just as fair as any other organization and newspaper and speaker in the United States was, just as fair as the Members of Congress themselves were when they used the word on the floor of the House.

Mr. REAVIS. Mr. Orth, I am not asking you for any comparative intention of fairness; I am not asking you whether you were as fair as some one else, or fairer than some one else; I am asking you if the use of the word "loyalty" was justified, as the league used it, without limitations, without qualifications, and without explanations?

Mr. ORTH. I think it was, under all the circumstances; undoubtedly, sir.

Mr. REAVIS. Well, we have settled that element of fairness; now, were you quite fair to put in this resolution language that would make anyone who reads your chart believe that the merits of the resolution were voted upon when they were not voted upon?

Mr. ORTH. Why, pardon me a moment, please. [Consulting papers.] Will you please read the question, Mr. Stenographer?

Mr. REAVIS. Was that question answered, Mr. Reporter?

Mr. ORTH. No; it was not answered.

(The reporter read as follows:)

Well, we have settled that element of fairness; now, were you quite fair to put in this resolution language that would make anyone who reads your chart believe that the merits of the resolution were voted upon when they were not voted upon?

Mr. ORTH. The description of the McLemore resolution contained in the chart is as follows: This resolution was to the effect—I wish to underscore the words "to the effect"—that American citizens should forego—I wish to underscore the words "should forego."—their natural, legal, and constitutional rights to travel on the high seas—I wish to underscore the words "natural and constitutional." Now, that, in effect, *Congressman*, is a correct and accuate statement of *what is contained in that resolution.*

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Mr. REAVIS. I beg your pardon——

Mr. ORTH (interposing). Please let me finish my answer. I i not finished my answer——

Mr. REAVIS. I am not making any complaint in this question a the construction you place on the resolution; my question was: w you quite fair to use the languge that you did use in the chart. lowed by the statement: "Voting right or wrong," which indicat exclusively, and could indicate nothing else, that the vote was upon the merits of the resolution, when the vote was had on the tion to table.

Mr. ORTH. Why, I was fair, I think, because some of the prominent Members of the House of Representatives confirmed t in the debate——

Mr. REAVIS (interposing). I am not asking you whether anyb confirmed it or not——

Mr. ORTH. (interposing). I conscientiously believe that I was c rect, sir.

Mr. REAVIS. And that you were fair about it?

Mr. ORTH. I conscientiously believe I was fair about it.

Mr. REAVIS. Wouldn't it have been more accurate and wouldn't have been fairer if you had placed any construction on it that y thought was justified, and then followed it with a statement that t vote came on the motion to table the resolution; those who voted o way voted wrong and those who voted the other way voted right would not that have been a more accurate statement?

Mr. ORTH. It would have been more illuminating, but in my judg ment and opinion would not have been necessary to illustrate th essence of the information.

Mr. REAVIS. Well, now, let's see whether it would or not, and to se if we have got to put oursedves in the atmosphere that surrounded Congress at ths time the resolution was voted upon; that is, if we are going to be fair with the men who voted on it; that is true, isn't it?

Mr. ORTH. I think so.

Mr. REAVIS. You and I can think like everybody else after the happening of the event; it is easier to judge of it after than it is before the happening of the event, isn't it?

Mr. ORTH. Some things are very difficult to judge before the happening of the event, not all.

Mr. REAVIS. But all things are easier judged when we have got far enough away from it and have the proper perspective?

Mr. ORTH. Not necessarily.

Mr. REAVIS. They are to most of us.

Mr. ORTH. Many things can be gauged quite easily before.

Mr. REAVIS. This resolution came up on a request of the President: do you recall that?

Mr. ORTH. Yes: I recall it.

Mr. REAVIS. Prior to the request of the President the resolution was slumbering in the pigeon holes of the committee, wasn't it?

Mr. ORTH. It was.

Mr. REAVIS. And don't you know, as a matter of fact, there was no disposition on the part of any Member of Congress to call that, or any other resolution, out for action; you recall that?

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Mr. ORTH. I think so; I think it was stated in the debate. My best recollection is it was also controverted by other people, I am not certain about that.

Mr. REAVIS. You are mistaken about that. There was no disposition to bring it out on the part of anybody, but the President did request it be brought before Congress and that Congress express its opinion, the principle involved, didn't he?

Mr. ORTH. On the principle involved; yes, sir.

Mr. REAVIS. He wanted an expression of Congress, and publicly made the statement that he wanted Congress to express its view on the principle involved in the rights of Americans to travel the high seas on any ship he cared to sail.

Mr. ORTH. I wish to refresh my memory [consulting papers]. I wish to reply to this effect: That the President of the United States wrote, on February 29, 1917:

MY DEAR MR. POOLE: Inasmuch as I learn that Mr. Henry, the chairman of the Committee on Rules, is absent in Texas, I take the liberty of calling your attention, as ranking member of the committee, to a matter of grave concern to the country, which can, I believe, be handled under the rules of the House only by that committee. The report that there are divided counsels in regard to the foreign policy of the Government is being made industrious use of and in foreign capitals. I believe that report to be false; but so long as it is anywhere credited it can not fail to do the greatest harm and expose the country to the most serious risks.

I therefore feel justified in asking that your committee will permit me to urge an early vote upon the resolutions with regard to travel on armed merchantmen, which have recently been so much talked about in order that there may be afforded an immediate opportunity for public discussion and action upon them, and that all doubts and conjectures may be swept away, and our foreign relations once more cleared of any misunderstanding.

The matter is of so grave importance and lies so clearly out of the field of executive initiative that I venture to hope that your committee will not think that I am taking unwarranted liberty in making this suggestion as to the business of the House, and I very earnestly commend it to their consideration.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

Hon. EDWARD W. POOLE,
House of Representatives.

Mr. REAVIS. Now, let me, in that connection, ask you when a letter as seriously worded as that comes from the one who is charged with the responsibility of conducting the foreign relations of this country, and the statement from him that a false report was proving embarrassing to him, and that he wanted the Congress to disclose its purposes and intentions on that principle of international law, it was an appeal to pass upon the merits of the principle, was it not, and a very strong appeal?

Mr. ORTH. It was an appeal to pass—yes; that is correct, sir; I should think.

Mr. REAVIS. Well, now, did you ever read the McLemore resolution?

Mr. ORTH. I did.

Mr. REAVIS. I want to give you a few opinions that I know. We acted as Members of the House, when that was voted on, the event had not happened yet. We were stumbling along trying to find the right way and were more or less interested in keeping out of this war, including the President, because war is a pretty serious proposition, and most of us felt that it was justified only as a last resort, and after

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all other expedients had been tried out. Now, the resolution came before Congress under those conditions. Have you got the resolution there?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Will you read it, please?

Mr. ORTH [reading]:

Resolved, That the President be requested to warn all American citizens within the borders of the United States or its possessions, or elsewhere to refrain from travelling on any or all ships, of any or all powers, now, or in the future, at war which ship or ships shall mount guns, whether such ships be frankly for a port of the naval forces of the power whose flag it flies——

Mr. REAVIS. You need not read any further, that is enough.

Mr. ORTH. I would like to read it all.

Mr. REAVIS. I merely wanted that much read in order to discuss a little matter I have in mind. I am very fond of Mr. McLæmore, and I do not want to reflect on him, but it is a very awkwardly worded resolution and it is my deliberate judgment, it is my positive judgment, was never framed by Mr. McLemore.

Mr. ORTH. I think it might have been improved; yes.

Mr. REAVIS. Yes; I think so, too. Let me suggest the possibility of this to you: That there were a great many men in Congress who thought if the situation was as serious as the President said it was that we ought to vote on the merits of that resolution, but there were some men in Congress, not many, fortunately, but some who didn't like to take an attitude on it at all, who wanted to escape and avoid responsibility, who were saying in the corridors and the cloak rooms: "I am going to vote to table that resolution, and then if I am criticized in doing it, I am going to say: 'It is so awkwardly drawn and is such a mere conglomeration of words that I can defend myself upon the character of the resolution itself.'" Then there were other men, more courageous than those of whom I have been speaking, who, in spite of the awkward way in which the resolution was drawn, thought we ought to meet the thing on its merits and said: "I am going to vote against tabling it, because the President wants this principle met and wants Congress to announce its position," and who made speeches on the floor to that effect, and who voted against tabling it, because they thought it was cowardly not to meet the merits of the situation, and you classed them as disloyal for their conduct. Now, wouldn't it have been fairer if you had said that the merits of the resolution were not voted upon, but it came upon a motion to table?

Mr. ORTH. Perhaps, from the particular, and in my opinion, abstract premises which you cite, it might have been fairer, but I submit that the Members of Congress who were guided by the considerations which you speak of, had their eyes more on the technicality of legislation in Congress, and possibly other things, than they had on the necessities of the Nation.

Mr. REAVIS. The Members whom you approved had their eyes open in that way?

Mr. ORTH. Which members do I approve?

Mr. REAVIS. You approve those who voted to table the resolution: *and there* were Members of Congress who voted to table the resolution *because* they were too cowardly to meet its merits.

Mr. ORTH. In so far as they appear on the record.

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Mr. REAVIS. But Members courageous enough to meet it on its its and, in accordance to the desires of the President to have ngress state its position on its principles, and who therefore voted inst tabling, you disapprove and called disloyal; is that fair?

Mr. ORTH. Well, Congressman, as stated by influential Members of House of Representatives on the floor at the time, the merits of matter, in my opinion, were met.

Mr. REAVIS. Oh, there were Members of the House——

Mr. ORTH (interposing). By action then before the House.

Mr. REAVIS (continuing). There were Members of the House just influential as those whom you would like to quote who had dif-ent motives for their conduct; but whatever their motive may have en, some actuated by good motives, some actuated by motives of nidity and cowardness, whatever their motives may have been, you not disclose it by your chart?

Mr. ORTH. That, sir, would be palpably impossible on that or any her question. The only thing that can be disclosed by any man or ganization not seeking to arrive at some particular selfish purpose its own, but merely seeking to go on record, is to show the votes the Members of Congress——

Mr. REAVIS (interposing). Would it have been?

Mr. ORTH (continuing). And we confined ourselves to that.

Mr. REAVIS. It would disclose a great deal better if your chart had ruthfully and accurately stated the action of Congress.

Mr. ORTH. Why, I am sorry to have to use the word that you dis-ike, but in substance it did.

Mr. REAVIS. It did not state that the motion and the action of Con-gress was on a motion to table.

Mr. ORTH. No; but in my opinion that was immaterial to the essence of the question.

Mr. REAVIS. You still have that opinion?

Mr. ORTH. I have the opinion that that was immaterial to the essence of the question.

Mr. REAVIS. Let me carry it just a step further. You made an attack on Mr. McCulloch in his district, did you not?

Mr. ORTH. Mr. McCulloch made a fight against the National Security League.

Mr. REAVIS. And the National Security League opposed Mr. McCulloch actively.

Mr. ORTH. The National Security League opposed the record established by the Members of Congress such as Mr. McCulloch's record.

Mr. REAVIS. Now, you say that you made an intensive campaign in close districts. Did you make an intensive campaign in Mr. McCulloch's district?

Mr. ORTH. No, sir; the only thing we did in Mr. McCulloch's district, if he is not in one of the 94 intensive districts, was to answer charges which had been made against the National Security League.

Mr. REAVIS. Now, Mr. McCulloch's previous majority had been 7,000 and after your activities it was 12,000. Do you recall that?

Mr. ORTH. I do not know what it was.

Mr. REAVIS. His election at the last election was by a majority of 12,000 votes.

Mr. ORTH. I am glad that it was so.

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Mr. REAVIS. Don't you know that Mr. McCulloch, on the floor of the House on the McLemore resolution, took exactly the position which I have indicated to you; that he was opposed to the resolution, but he was going to vote against tabling it?

Mr. ORTH. I just don't recall that, but I have not the least doubt it is so.

Mr. REAVIS. I am going to tell you, just as a matter of fact, that many men were opposed to this resolution and would not have voted for it under any plans for various reasons that to them seemed sufficient voted against tabling the resolution. Now, do you reflect their attitude accurately in sending out a chart that leaves the impression that these men voted for the McLemore resolution when they announced in the House that they were opposed to it and would not vote for it?

Mr. ORTH. Inasmuch as those men by their actions helped to make it possible that such a warning should have been given to the American people, I do believe that their action was carefully and properly criticized as shown by their votes.

Mr. REAVIS. I just want your mental attitude on it and how you felt about it.

Mr. SAUNDERS. Just right in that connection, Will you explain how that action helped to make that resolution possible? Suppose the Members voting against tabling the resolution had been in the majority and the resolution had not been tabled, what would have been the status of the resolution?

Mr. ORTH. That a warning would have been issued by Congress to warn American people from exercising their natural and legal and constitutional rights.

Mr. SAUNDERS. You stand on that?

Mr. ORTH. I think so, if I correctly understand your question.

Mr. SAUNDERS. Are you aware that if the Members voting against tabling the resolution had prevailed the resolution would have been still pending before the House and that it would have been of no valid effect whatsoever?

Mr. ORTH. Why, I believe that a vote which did not table the resolution would have carried such a message to the country as I have indicated and that the effect of such votes would have undoubtedly have been as I have indicated.

Mr. SAUNDERS. Even though the resolution voted was still left pending and absolutely ineffective?

Mr. ORTH. Well, Congressman, the people of the United States have very little knowledge of and care very little about the technicalities of the machinery of Congress in the handling of the resolutions. All they get is the sentiment.

Mr. SAUNDERS. Don't you think the people of the United States have got sense enough to know whether a resolution is or is not passed?

Mr. ORTH. I think the people of the United States have sense enough to know whether the resolution was passed or not, and also sense enough to understand the meaning of it.

Mr. SAUNDERS. Very well, when a resolution is pending, did you think the people of the United States had so little sence as to understand that that means that it is passed by Congress?

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Mr. ORTH. I think, sir, in view of the evidence brought in this morning, the President's letter, such an action by Congress would have been regarded as a refusal to give the President what he claimed as decidedly needed.

Mr. SAUNDERS. Even though the next, and necessary, step on the part of Congress had been to defeat the resolution?

Mr. ORTH. I did not know whether such a step would have, or would have not, necessarily followed. It might, or it might not have followed.

Mr. SAUNDERS. A successful vote in defeating the motion to table the resolution, which, as I have stated, would have left the resolution merely pending in Congress for the next action in order on the same, would have been accepted by the American people as the equivalent of the passing of the resolution. That is about the situation that you present from your answers.

Mr. ORTH. I am afraid that you did not quite follow my reasoning.

Mr. SAUNDERS. Very well, let it go with that, then.

Mr. REAVIS. Before I go to the next one of your acid tests, Mr. Orth, I want to know if you had any idea of what has created the suspicion in the minds of the American people, or a large number of them, at least, regarding the sincerity and purity of the motive of your league?

Mr. ORTH. Why, I have no impression as to what——

Mr. REAVIS (interposing). As to what created the suspicion in the minds of the people——

Mr. ORTH (interposing). I did not know that such an impression existed, sir.

Mr. REAVIS. Well, I presume that is characteristic of the American people! The league, like the injured husband, would be the last one to find it out; but, notwithstanding it obtains. Don't you know, as a matter of fact, that it was your work with this chart that has created a great deal of suspicion in the minds of the American people?

Mr. ORTH. Why, sir, when you say that the impression that you spoke of obtains, I, as a member of the executive committee, have heard of nothing in the office of the National Security League in the way of resignations, or withdrawals of members, or otherwise, which would indicate that the league's influence with those members has waned.

Mr. REAVIS. Well, now, I am going to ask you a question that does not carry with it any assumption of suspicion; do you know that the character of this chart has engendered suspicion among the American people regarding the purity and sincerity of the creeds of the National Security League?

Mr. ORTH. My impression was very much to the contrary.

Mr. REAVIS. Yes; well, if you could see the mail that Congress gets every day regarding it probably you might change your mind.

Mr. ORTH. Yes; and if you could see the clippings the National Security League got regarding this chart just before election, you would change your mind.

Mr. REAVIS. I have seen the press clippings. We could not get into the press with this business with a crowbar. We realize that, but I want to ask you a few questions.

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Mr. ORTH. I want to ask you Congressmen just what your reference meant?

Mr. REAVIS. What reference?

Mr. ORTH. That you could not get into the press with this business with a crowbar.

Mr. REAVIS. It is indicated to mean by the fact that we have not got in. I have not seen any press notices of this business at all, but I am frank to say that I have not looked for them, and have not looked at the papers carefully in that regard; but I want to discuss with you a little about this chart.

Now, the McLemore resolution passed March, 1916—was passed by the Sixty-fourth Congress, wasn't it?

Mr. ORTH. Yes, sir.

Mr. REAVIS. The Hay Army bill, your second acid test, was passed by the Sixty-fourth Congress?

Mr. ORTH. Yes, sir.

Mr. REAVIS. The Brandegee amendment to the Hay-Chamberlain Army bill was passed by the Sixty-fourth Congress, which is your third acid test?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Section 56, providing for a volunteer reserve army, your fourth acid test, was passed by the Sixty-fourth Congress?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Your fifth acid test, the motion to recommit the naval bill, June 2, 1916, was passed by the Sixty-fourth Congress, wasn't it?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, every one of those measures——

Mr. ORTH (interposing). Did you mean to omit the sixth?

Mr. REAVIS. I beg your pardon.

Mr. ORTH. That being another measure passed by the Sixty-fourth Congress.

Mr. REAVIS. I beg your pardon.

Mr. ORTH. Did you mean to omit the sixth one, which was also passed by the Sixty-fourth Congress?

Mr. REAVIS. And the sixth one, which was also passed by the Sixty-fourth Congress. Now, every one of those acts of the Sixty-fourth Congress were immutably made a part of the records of the country and had gone into history, hadn't they, before the election of the Sixty-fifth Congress, except in No. 6?

Mr. ORTH. Yes; that is true.

Mr. REAVIS. The first five acid tests—the record had been completely made out on those before the Congress met who made that record appealed to the people for action of the people upon their stewardship. That was true, was it not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Yes. Now, March 1, 1917, the Cooper amendment was likewise passed by the Sixty-fourth Congress; so six out of the eight tests were in the Sixty-fourth Congress, were they not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. June, 1918, when you got out this chart, the Sixty-fourth Congress had passed into history and the Sixty-fifth Congress was in session. That is true, isn't it?

Mr. ORTH. That is true.

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Mr. REAVIS. The Members who had appealed for election in the fall, following July, when you got out this chart, were the Members of Congress who had nothing to do with these six measures, isn't that true?

Mr. ORTH. Only very partially true, sir.

Mr. REAVIS. Yes.

Mr. ORTH. Only very partially true.

Mr. REAVIS. I am not asking you about individuals. I am asking you about Congress.

Mr. ORTH. About the Congress itself?

Mr. REAVIS. Yes; the Sixty-fifth Congress, which was appointed for reelection, or for election, was not the Congress that had made the record that you published in the first six acid tests.

Mr. ORTH. The Sixty-fifth Congress as an aggregate does not appeal for election or reelection. The individual Members did.

Mr. REAVIS. But there was an election.

Mr. ORTH. There had been an election.

Mr. REAVIS. All these five measures, at least had been enacted?

Mr. ORTH. Yes.

Mr. REAVIS. Yes; and then there was another election coming on for the Sixty-sixth Congress?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, you say that we are conducting this educational campaign for the purpose of getting a win-the-war Congress. That is correct, isn't it?

Mr. ORTH. Yes, sir.

Mr. REAVIS. That was the only thing that was of any vital concern at that time, wasn't it?

Mr. ORTH. Why, that was the most important thing.

Mr. REAVIS. Really the election had no other business, but to win this war, did it?

Mr. ORTH. That is correct.

Mr. REAVIS. That was absolutely to win the war. There was no longer any concern about preparing for war. The concern was fighting the war, wasn't it at the time that you issued this chart?

Mr. ORTH. Why there was some question and concern about preparations.

Mr. REAVIS. Perhaps, but slight, very slight. I think we agree on that question, it was winning the——

Mr. ORTH (interposing). War.

Mr. REAVIS (continuing). And not preparing for the war?

Mr. ORTH. No; not preparing for the war.

Mr. REAVIS. Of course, if you wanted a Congress elected and you were conducting your educational campaign inspired by that motive to win the war, why didn't you give the vote of the Members of Congress that had been in session during the war?

Mr. ORTH. Why, we did. We aimed in this chart to indicate as nearly as we could what the tendencies and dispositions of the Members of Congress had been before they were driven out—before they were caught up by the whirlwind of public opinion, and driving power of the public, which took place shortly after we got into the war.

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Mr. REAVIS. Now, we will take up that attitude. Some of the Members of Congress, you think reluctantly had been driven into an attitude of public sentiment?

Mr. ORTH. I think so.

Mr. REAVIS. Yes; but the Congress was giving the administration what it wanted without delay and without quibble was it not, after war was declared?

Mr. ORTH. Yes, sir.

Mr. REAVIS. We passed a $640,000,000 aeroplane bill, with two hours' debate. Do you recall that?

Mr. ORTH. You were very prodigal with the funds, sir.

Mr. REAVIS. Undoubtedly.

Mr. ORTH. No question about that.

Mr. REAVIS. Do you mean that word just as it sounds?

Mr. ORTH. Why, how does it sound, Congressman?

Mr. REAVIS. It had rather a harsh sound.

Mr. ORTH. I thought I said it very sweetly, at least I tried to.

Mr. REAVIS. As though Congress were wasteful of the peoples money. Congress only appropriates. It does not expend. Therefore, if there was any waste it was in the execution of the appropriations and not in the making of the appropriations.

Mr. ORTH. I did not mean to insinuate that Congress was wasteful.

Mr. REAVIS. Congress voted the money without quibble, without delay, but with unusual dispatch and set a record which I do not think has ever been equalled by a legislative body in all recorded time. We were driven to it by public sentiment you think, but they were doing it, were they not?

Mr. ORTH. They were doing it; yes, sir.

Mr. REAVIS. Mr. Orth, if Congress, no matter what motiv inspired their actions, were enacting in the way of legislation tl... the administration needed, or thought it needed, you did not need any educational campaign or the proposition of getting a Congress to win the war did you?

Mr. ORTH. No, no; but some other questions perhaps existed, as for instance, the fact that the Sixty-fifth Congress has not made a very brilliant record in originating legislation, but instead was merely a passive body through which legislation suggested or given to it was enacted.

Mr. REAVIS. Of course, that was a popular criticism which has been made a great many times by men who read the newspapers and who were expressing the thought of some one else. One great trouble with the American people is that they do not think. They just think they are thinking.

Mr. ORTH. The American people don't think?

Mr. REAVIS. The American people don't think. A great many of them, as indicated by your last answer, just think they are thinking. They read something that somebody has said and read it as their own thought. Now, let me ask you a few questions right on that line and then I will come back to the thought I had in mind by starting these questions.

There is only one power in the United States that has all sources of information, who is in touch with his counsels and ambassadors, he has the lines of information and the sources of information leading

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him from every avenue in this world, many of which are of such confidential nature that they can not be revealed. Congress does not ordinarily know any more about them than you know. Congress can not initiate for a condition when it does not know the condition, and no man can do that. The initiation had to come from those who had this information. Can you state a single instance where Congress has refused the authority asked for by legislation or the appropriation of money to carry that authority into effect whenever asked of appropriation committees—a single instance of the Sixty-fifth Congress?

Mr. ORTH. No; I do not say anything in criticism or——

Mr. REAVIS (interposing). Now, if you can not do it——

Mr. ORTH (interposing). Pardon me, Congressman, just let me finish my answer—suggested criticism of the acts which Congress took on the legislation that was actually before it. I merely said I thought that one of the criticisms there may lie in the fact that Congress was not originating legislation.

Mr. REAVIS. Well, don't you know that the suggestions for the legislation to meet conditions had to come from those sources who knew conditions?

Mr. ORTH. Not all of it, sir.

Mr. REAVIS. Would you have Congress legislate about a condition when it had no knowledge of it at all?

Mr. ORTH. Why, I would have Congress legislate approximately along the same lines that it had legislated in the past.

Mr. REAVIS. Yes; but during war times, when a censorship is on, with Congress having no more information than the general public had, didn't the legislations to carry into effect those things which were necessary to win this war have to originate in those sources that had possession of the information which revealed the necessity?

Mr. ORTH. In my opinion during war time it was all the more necessary for Congress to do work in the direction of originating legislation than during peace times.

Mr. REAVIS. Whether they had information or not?

Mr. ORTH. I think that Congress is a in position to secure all the information required for any purpose.

Mr. REAVIS. What do you base that on?

Mr. ORTH. We believe that the head of committee——

Mr. REAVIS (interposing). Now, let me tell you something, Mr. Orth——

Mr. ORTH (interposing). Pardon me, Congressman, I want to answer your question—that the heads of committees had access to the heads of departments during war time the same as they had during peace time.

Mr. REAVIS. Just how do they have access to the information, even though they had access to the departments?

Mr. ORTH. I don't know, sir.

Mr. REAVIS. Well, let me tell you something. Approximately 50 Members of Congress braved the dangers of the ocean when they were infested with submarines to go to the war zone to get information that we could not otherwise get. Did you know that?

Mr. ORTH. I did not know how many; I know some Members did go, but I do not see that that in any way proves that they could not get information out of the original forces.

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Mr. REAVIS. Would Congressmen have crossed the submarine-infested ocean in search of information they could not get away from it?

Mr. ORTH. They could get such things, I think.

Mr. REAVIS. Do you know that a resolution—it is suggested to me by Mr. —that is passed by either branch of the Congress, or the Congress itself asking information of the President or any head of department, always carries with it language substantially as follows: "If compatible with the public interests." Did you know that?

Mr. ORTH. Yes; I knew that.

Mr. REAVIS. That we have no right to demand information of them if in their judgment it is incompatible with the public interests that that information be made public. Did you know that?

Mr. ORTH. Yes; I knew that.

Mr. REAVIS. Yes.

Mr. ORTH. But they might have secured the information by having a hearing on the subject, or requesting some other advice.

Mr. REAVIS. Can you tell me of anything that the Sixty-fifth Congress failed to do specifically—not generalize—in the way of legislation or appropriating money to assist the Nation in winning this war?

Mr. ORTH. I think, Mr. Congressman, that we were caught in the whirlwind of war unprepared, and I believe——

Mr. REAVIS (interposing). I don't know that——

Mr. ORTH (interposing). Pardon me, allow me to answer your question.

Mr. REAVIS. Well, sir, I did not mean to interrupt you.

Mr. ORTH. I believe, that owing to the inaction of the Sixty-fifth Congress, that we have been caught into the forces of reconstruction equally unprepared, and I believe that that single thing itself is adequate and full response to not only your question but to the whole principle involved.

Mr. REAVIS. Now, let me ask you again, and I sincerely trust, Mr. Orth, that you will answer the question, can you tell me of one thing that the Sixty-fifth Congress failed, neglected, or refused to do that would have aided the Nation in winning the war?

Mr. ORTH. Why, no; I think I can't.

Mr. REAVIS. Well, now, if it were true that you don't know now of anything that the Sixty-fifth Congress failed to do that would aid the Nation in the time of its trouble, the necessity to seek to elect a win-the-war Congress, because was not the Sixty-fifth Congress, almost to the point of servility, doing everything that it could to win the war?

Mr. ORTH. Why, it may be that the people didn't entirely approve of that attitude of the Congress of being obedient to a point of servility. I believe that Congress should be an active functioning body and not a passive body doing what it was told.

Mr. REAVIS. Reluctant as we were to do it on the part of some of us, myself included, but we did, and surrendered those things in order that we might give a greater contribution to the country. It was *really* a laudable motive, wasn't it?

Mr. ORTH. Yes; if it was your sole object, it was unquestionably *a laudable* motive, and the people of the United States unquestion-

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ably unfortunately made a mistake in their thought and in their attitude on the subject.

Mr. REAVIS. Well, what was your thought, in your campaign of education, in seeking the election of a Congress to win the war when the Congress that was in session, and which was appealing for reelection, had unselfishly surrendered every prerogative it had with the idea in view of winning the war?

Mr. ORTH. That was one of the reasons why, perhaps, it was that it was not a win-the-war Congress.

Mr. REAVIS. I am not asking you what they thought——

Mr. ORTH (interposing). Because it did surrender its prerogatives.

Mr. REAVIS. I am not asking what they thought. I am inquiring into your motive.

Mr. ORTH. It was my thought.

Mr. REAVIS. Yes; but you did not say so in the chart. Your chart is quite to the contrary, that we were not doing enough to win the war. Now, what was the necessity of sending the chart Nation wide to elect a win-the-war Congress when you say this Congress in session was doing everything possible to win the war?

Mr. ORTH. I do not see that they were doing everything possible——

Mr. REAVIS (interposing). Then, tell me of one thing that we did not do.

Mr. ORTH. I say everything possible in a general limited way.

Mr. REAVIS. I am just throwing the bars down. Not any certain limited way, but I am asking you to go over the whole field of its efforts, possible or problematical, and tell me of anything that we either failed, refused, or neglected to do that we should have done that would have contributed to the winning of the war.

Mr. ORTH. May I refresh my memory [consulting papers]? Congress failed, for instance, to initiate a single budget system.

Mr. REAVIS. Now, right on that point, Mr. Orth, will you give me your views as to what sort of a budget system we ought to have?

Mr. ORTH. I am not appearing here, Congressmen, I repeat again, as a technical expert on these questions.

Mr. REAVIS. I understand.

Mr. ORTH. I appear here as an American citizen—as an average American citizen.

Mr. REAVIS. And we are delighted to have you here, Mr. Orth; but inasmuch as you have essayed to criticize Congress for not adopting a budget system, will you kindly tell me what sort of a budget system you think Congress ought to have? You have some basis for your criticism, I presume.

Mr. ORTH. The budget system Congress ought to have would be the best budget system it could evolve after Congress had discussed the matter carefully and had consulted with available experts, and then evolved a proper budget system.

Mr. REAVIS. That is very illuminating, and it is a feasible statement regarding it. Would we have time to carefully and conscientiously consider a new departure of this character when we were working night and day on war measures?

Mr. ORTH. Why, I should say you had, sir.

Mr. REAVIS. You should say we had?

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Mr. ORTH. Unquestionably. I do not believe that every Member of Congress was busy working night and day on war work, so that they would not have had ample time to have considered it. I have very frequently worked from 8.30 o'clock in the morning to 1 and 2 in the next morning—very frequently.

Mr. REAVIS. Would you have had time to have taken on a matter of an entirely different character and given careful, thoughtful consideration to all the workings of it?

Mr. ORTH. As my present position indicates, I would say, sir—

Mr. REAVIS (interposing). Now, Mr. Orth, candidly and frankly, because I am sure that you want to be frank with the committee in its effort——

Mr. ORTH (interposing). I am glad that I have succeeded at last in making that impression——

Mr. REAVIS (interposing). I do not say you are succeeding with it, but just let's don't get away from the thought I had in mind. Will you tell me of any committee that could handle a budget system that was not occupied every minute of its time during the prosecution of this war?

Mr. ORTH. Why, I should say that a committee might easily have been found amongst some of the comparatively idle committees who might have taken up such a thing.

Mr. REAVIS. Then, why, when you sent this chart out across the Nation, did you not state as the basis of your criticism and as a part of the efforts of the National Security League in trying to win the war toward the election of a Congress that would devise a budget system?

Mr. ORTH. If I understand the question my answer is that we could not, nor could anybody else, visage every possible thought and consideration which the thought of this investigating committee has succeeded in bringing forth after all the time that has passed here.

Mr. REAVIS. I did not put the object, sir, into this question, but I was asking you what it was that the Sixty-fifth Congress failed to do that would have aided greatly in winning the war and you finally informed us it was a budget system. I am glad to find out, but I don't know just what function a budget system would have performed in winning the war, but I am getting your view of it. Now, what next besides the budget system?

Mr. ORTH. Pardon me, I'd like to ask—you know you make some pretty long statements in the course of your questions, Congressman, and the impression is to imply that I admit all that you said, which is not always the case.

Mr. REAVIS. I will try to make my questions as brief as your replies.

Mr. ORTH. The winning of the war was the greatest business in the world and, consequently, in the United States. To successfully conduct any business it must be organized along economic and regular lines. The absence of a budget system left the United States without the proper business organization for winning the war.

Mr. REAVIS. Yes. Well, now, a budget system, inasmuch as it is a new departure for the Government, but one thought of which I very heartily approve and sincerely trust will soon be evolved by Congress and believe it will be, would have required some debate on the floor of the House, would it not?

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Mr. ORTH. Yes, sir. That debate might have been given it some years ago.

Mr. REAVIS. I am talking about those things, you know, that we could have done—the Sixty-fifth Congress that was appealing for reelection—not what might have been done years ago or what may be done in the future; but you said that one thing that you had in mind that the Sixty-fifth Congress had failed to do to win the war was to have a budget system. For Congress to have evolved and developed and enacted a good budget system would have taken a great deal of investigation would it not?

Mr. ORTH. Why, I think that a good budget system could have been evolved by capable business men in about the same time that it has taken Congress to pass some of the revenue bills.

Mr. REAVIS. Yes; and it would have taken about the same time on the floor of the Congress that it would have to pass the revenue bill.

Mr. ORTH. It would entirely depend on what rules you made on it.

Mr. REAVIS. You would want it carefully considered by Congress.

Mr. ORTH. I want it carefully considered, but that doesn't always agree with the question of speechmaking.

Mr. REAVIS. The Senate took five months on one revenue bill during this war.

Mr. ORTH. Didn't the House have considerable time?

Mr. REAVIS. It would probably have taken 10 or 12 days, something of that kind.

Mr. ORTH. Is that the maximum?

Mr. REAVIS. I think that revenue bill took something like that.

Mr. ORTH. Why, there was another revenue bill which might have taken longer.

Mr. REAVIS. There was only one revenue bill during the progress of the war.

Mr. SAUNDERS. There was but one revenue bill.

Mr. ORTH. Didn't H. R. 4280, to provide money to defray war expenses and other business, take from May, I think, to October to enact into law?

Mr. REAVIS. Yes.

Mr. ORTH. It would take at least that much time for the House to enact it into law. Did the Senate take all the time?

Mr. REAVIS. Practically all, sir. Now, then, if you think it would take about the same length of time to pass the budget bill it did to pass the revenue bill we would not have had very much time for war legislation, would we?

Mr. ORTH. Why, I think that as you were passing war legislation in the way I believe both you and I have suggested—in other words, in the way it was given you to pass and did not—clearly consumes so much time that you might not have found time to take up both, sir.

Mr. REAVIS. Now, working as the Members of Congress did work during this war, I want to tell you, as a matter of fact, a budget system while we were fighting this war was a physical impossibility; but if that were your complaint against the Sixty-fifth Congress, and that seems to be the only thing with reference to winning the war that you can specifically tell me, why didn't you put it in your chart; why *did you put eight military* measures in there for?

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Mr. ORTH. Why, Congressman, I am sorry; I wish there was some way in which I could protect myself against the long speeches which you interject into your questions. May I not ask, if it is within the province to do so, that you ask me questions without prefacing them in every case with long statements of premises?

Mr. REAVIS. In view of all the questions with reference to the Sixty-fifth Congress with reference to its conduct by way of failure to do those things necessary to win the war, your statement is that it did not pass a budget system. Why didn't you say so in your chart?

Mr. ORTH. Why, because it would have been impossible, Congressman, to make a chart which was intelligible to anybody which would have included all of the things which you alone have suggested might have been included, including this particular one which you now ask about.

Mr. REAVIS. Now, you know that answer has just about as much relation to my question as Broadway at night has to the moral law. I am going to ask it again: If your sole complaint of the Sixty-fifth Congress in failing to do things that would contribute to the winning of this war was the failure to pass a budget system, why didn't you put that into your chart?

Mr. ORTH. If my sole complaint had been the failure to pass a budget system, why that might have been put in the chart.

Mr. REAVIS. Well, if you have any other complaint of the Sixty-fifth Congress in its failure, refusal, or neglect to do the things necessary to the winning of the war besides its failure to pass a budget system, will you kindly state it?

Mr. ORTH. Why, I believe that the Sixty-fifth Congress was dilatory in a number of cases about passing perfectly proper and necessary——

Mr. REAVIS (interposing). Now, we are getting away again and generalizing. You say that we were dilatory in what?

Mr. ORTH. The only instance I can remember of now is, for instance, the Baer seed bill.

Mr. REAVIS. I beg pardon?

Mr. ORTH. The Baer seed bill.

Mr. REAVIS. I didn't get that.

Mr. ORTH. The Baer seed bill.

Mr. REAVIS. Well, Mr. Orth, just tell me what connection the Baer seed bill had to the winning of the war?

Mr. ORTH. The Baer seed bill had a very direct connection with the winning of the war and a very appreciable one as it was for the purpose of increasing the food supply of the United States.

Mr. REAVIS. Well, now, just give me your knowledge of the Baer seed bill.

Mr. ORTH. My knowledge of the Baer seed bill is that it was a bill for the distribution of seed for an increased crop of spring wheat.

Mr. REAVIS. Yes. Well, now, you know that we granted that legislation, don't you?

Mr. ORTH. Very roughly, only roughly.

Mr. REAVIS. Do you know it passed the House almost immediately and took days in the Senate?

Mr. ORTH. No, I didn't know that.

Mr. REAVIS. It is the fact, nevertheless; but I am trying to get something that the House— the Sixty-fifth Congress—failed to do be-

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ides the budget system that would have helped to win the war, but ve have got the budget system and the Baer seed bill.

Mr. ORTH. Refreshing my memory——

Mr. REAVIS. You say it failed to enact a budget system and the Baer seed bill. What other measures aimed at winning the war did it fail to pass besides those?

Mr. ORTH. I decline to answer on the advice of counsel.

Mr. REAVIS. You have the Baer seed bill and the budget system——

Mr. ORTH (interposing). Pardon me for interrupting, but regarding the Baer seed bill will you kindly enlighten an American citizen by telling him why if it was introduced in the House on December 12, 1917, it did not finally pass the House until March 29, 1918?

Mr. REAVIS. Because it was carried on the Agriculture appropriation bill, that is the reason.

Mr. ORTH. But the fact remains it was only accomplished after that delay.

Mr. REAVIS. It was not accomplished at all because the Senate defeated the Baer seed bill and it never became a law, but it was not the fault of the House.

I am trying to find out, Mr. Orth, and I want to be fair about it and I will still say that while you are not eminently successful I think you are trying to answer my questions, what was it besides the budget system that the House of Representatives failed, or neglected, or refused to do, the doing of which would have contributed to winning the war?

Mr. ORTH. Why, I make the specific statement in answer to that, sir, that the Sixty-fifth Congress did not show proper industry or capacity, or whatever you may call it, in originating legislation to help win the war.

Mr. REAVIS. Will you state a specific instance justifying that opinion?

Mr. ORTH. I can not undertake to state any more specific instances without refreshing my memory. I will be very glad to file an answer to your question.

Mr. REAVIS. I would be glad if you would. Do you know that the President of the United States—I don't recall his exact language—paid the Sixty-fifth Congress the very highest compliment that could be paid a legislative body for its unselfish and industrious efforts to provide without delay everything in the way of men and money that the Nation needed in this war?

Mr. ORTH. I saw that, sir.

Mr. REAVIS. Do you know that Mr. Balfour, who came over here as a member of the English commission, publicly made the statement while in Washington that the Congress of the United States, after they got into war, provided the authority and the money as the instrumentality of the authority to put that into effect in one month, what it took the British Parliament 11 months to do?

Mr. ORTH. Do you refer to Mr. Balfour as an authority on the matter of American congressional procedure?

Mr. REAVIS. I think Mr. Balfour is a very well-informed man; better, perhaps, than a great many.

Mr. ORTH. So you would consider him a better judge than the average American citizen?

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Mr. REAVIS. I think perhaps he had better knowledge of the comparative rapidity with which the American Congress and the British Parliament acted than either you or I, wouldn't you?

Mr. ORTH. Why, I think, unquestionably; and very much greater capacity than you and I to understand the question if he had the time to make an observation to do so.

Mr. REAVIS. Well, he was in America and saw what Congress was doing.

Mr. ORTH. If I recall the length of his stay, he was not here long enough to get any coordinated idea of the work of Congress.

Mr. REAVIS. But he knew the accomplishments of Congress while he was here, and he publicly made the statement that the American Congress was working with infinitely more rapidity than the British Parliament.

Mr. ORTH. Well, I should say that is a very flattering comparison for the period of time of Mr. Balfour's observation.

Mr. REAVIS. As the chairman of the congressional committee of this league, and in charge of the propaganda that was to educate the Republic with reference to the acts of Congress, you can only point to the budget system and the Baer seed bill as the failures of Congress to contribute to the winning of the war?

Mr. ORTH. I have suggested, and the committee agreed, that I might file a memorandum in reply to that question, sir.

Mr. REAVIS. The question was that at this time, while I am questioning you, that is all you can lay hands on?

Mr. ORTH. I stated the budget system as an example of legislation which should have been passed as helpful in winning the war, and I also referred to the general attitude of Congress as another reason.

Mr. REAVIS. But I say at this time the only thing that you can put your finger on specifically that marks the failure of Congress to make its full contribution to the winning of this war was its failure to pass a budget system and the Baer seed bill.

Mr. ORTH. Under the pressure of existing circumstances, that is the only measure which I recall without time to refresh my memory on the subject.

Mr. REAVIS. The pressure of existing circumstances does not prevent you from informing the committee of what you have in mind when you state that the Congress had not provided the instrumentalities necessary to the winning of this war.

Mr. ORTH. Congressman, I think it is a matter of human fairness which you will admit that it is impossible for a witness who is being interrogated in the manner in which I have been to recall on a minute's notice all the things which are really properly and honestly within the scope of his knowledge.

Mr. REAVIS. I think as a matter of fairness I would be compelled to admit that it would be impossible for a witness upon a moment's reflection, or upon a reflection of extended length, to state anything that the House of Representatives of the Sixty-fifth Congress failed to do that would have enabled its country to win this war. You and I are agreed on that proposition.

Now, let's get back to the thing I started with about an hour ago and from which we have wandered far afield. I want to ask you *whether or not* you are appraised of the fact that these prewar measures enacted by the Sixty-fourth Congress, which you use as your

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sis for criticism of the Sixty-fifth Congress and the right of its embers to reelection, would not have created expenditures on the rt of the Government?

Mr. ORTH. Expenditure on the part of the Government?

Mr. REAVIS. Well, I mean—suppose we had increased the Army nder the Kahn amendment on March 23, 1916. It would have eant additional artillery and additional material for such an Army, ouldn't it?

Mr. ORTH. Unquestionably.

Mr. REAVIS. It would have caused expenditure on the part of the overnment?

Mr. ORTH. Absolutely.

Mr. REAVIS. Now, what section of the country would that necesarily have had to have been spent in, do you know?

Mr. ORTH. Necessarily? No; I don't.

Mr. REAVIS. Well, you know where the plants are that manufacture hat sort of thing, don't you? As to whether they are in the Middle West on the farm lands or on the Atlantic coast?

Mr. ORTH. Oh, well——

Mr. REAVIS (interposing). Of course you do. Suppose we passed the Brandegee amendment increasing the Army from 140,000 to 250,000. That would have created an additional expenditure, would it not?

Mr. ORTH. Yes.

Mr. REAVIS. Suppose we had provided for a Federal Reserve Army, section 56, on April 18, 1916. That would have created additional expenditures on the part of the Government, would it not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Suppose the motion to recommit the naval bill offered on June 2, 1916, had passed. It would have created additional expenditures on the part of the Government, would it not?

Mr. ORTH. It would, sir.

Mr. REAVIS. All those expenditures would have had to have been made in the same section of the country, would they not?

Mr. ORTH. I should say from the eastern seaboard to the Mississippi River.

Mr. REAVIS. Mighty little of it would ever have got out to the Mississippi River. It would have gone to New York.

Now, then, you have got 47 men who were loyal on all these propositions, haven't you?

Mr. ORTH. What do you mean by loyal, sir?

Mr. REAVIS. That they met the approval of the supermen of wide vision over here in law offices in New York.

Mr. ORTH. I do not understand the standard, sir.

Mr. REAVIS. Well, their conduct regarding those bills met the approval of the National Security League.

Mr. ORTH. There are 47 men who were put on the National Security League's roll of honor who had the foresight, honesty, courage, and good judgment to be right on all the measures.

Mr. REAVIS. And those fellows batted a thousand in your league, didn't they?

Mr. ORTH. I beg pardon?

Mr. REAVIS. They batted a thousand in your league, didn't they? They made a hit every time they came up. Now, do you know that

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40 per cent of those 47 men voted against the increase of the income tax also—40 per cent of them?

Mr. ORTH. Yes; I have heard that statement made.

Mr. REAVIS. Yes; well, now, the contribution to your league this $100,000—a quarter of it came from the Carnegie Steel Corporation.

Mr. ORTH. From what?

Mr. REAVIS. From the Carnegie Steel Corporation.

Mr. ORTH. No, sir.

Mr. REAVIS. It came from the Carnegie Corporation.

Mr. ORTH. So far as I know, nothing has been brought before the committee which indicates that any money came to the National Security League from the Carnegie Steel Corporation.

Mr. REAVIS. Well, the Carnegie Corporation—that is the holding company.

Mr. ORTH. The Carnegie Corporation, as I understand it, has absolutely nothing whatsoever to do with the Carnegie Steel Co; nothing whatsoever.

Mr. REAVIS. $35,000 of it came from Rockefeller, didn't it?

Mr. ORTH. About that, I think it was $25,000.

Mr. REAVIS. And Mr. Frick, a steel man in Pittsburgh, did it not?

Mr. ORTH. I should say, as far as my own knowledge goes, he was no longer interested in steel men in Pittsburgh.

Mr. REAVIS. Well, he has large holdings still, hasn't he? He may have got out of the active management.

You got some from Morgan.

Let's see where you are getting to. You have 47 men on measures that were not passed in the Sixty-fifth Congress which you were asserting in this chart, who voted for those measures that would create an expenditure on the part of the Government that would put money in one section of this country; and the same men voted against those measures, the income tax, that would take money out of the same section of the country which has financed the league and make this take advantage of the Morgans, the Rockefellers, and the Carnegies; isn't that true?

Mr. ORTH. And all the scores of thousands of private individuals all over the country to whom you did not refer.

Mr. REAVIS. Answer my question. Isn't one-fourth of your contribution—$150,000—made from the Carnegie Corporation?

Mr. ORTH. I did not understand that. One-quarter may have come from all those people, but the remaining three-quarters came from the scores of thousands of people all over the United States.

Mr. REAVIS. Your next largest contributor was Gen. Rockefeller?

Mr. ORTH. Yes.

Mr. REAVIS. And your next the Carnegie Corporation?

Mr. ORTH. Yes.

Mr. REAVIS. And Frick was a large contributor?

Mr. ORTH. I believe he was.

Mr. REAVIS. And Morgan was a large contributor?

Mr. ORTH. Yes.

Mr. REAVIS. Every one of these men would have been subjected to an income tax, wouldn't they?

Mr. ORTH. And they were.

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Mr. REAVIS. Yes; but those men who voted against the increase in the income tax that would have prevented the subjecting of these men to that tax are the men approved by your organization, and, by the same token, they are the same men that voted for bills that would have created a large expense on the part of this Government that would have put money into the pockets of these men?

Mr. WALSH. Just a moment, Mr. Orth. I think Mr. Reavis ought to state his question so as to include all of the 47 men, because as a matter of fact, there was quite a large part of the 47 men on the roll of honor of the league who voted against the income tax.

Mr. REAVIS. I think I made the statement that 40 per cent of them did.

Mr. WALSH. Yes; yes; but not all of those men.

Mr. REAVIS. Let me add to this question that 40 per cent of these men are men who voted against increasing the income tax?

Mr. ORTH. No; I don't know it, Congressman.

Mr. REAVIS. Let me get to the deduction I draw from this in the way of a question and see how close we can get together. You selected a lot of measures that related to the preparation for war as the basis for an election of a Congress to fight the war. You selected a lot of questions of the activities of the Sixty-fourth Congress that you determine the election of the Sixty-fifth Congress. Did you select a lot of questions that would permit you to justify and to approve the record of that man whose natural slant of mind carried him against income taxes and in favor of big military preparations?

Mr. ORTH. Absolutely——

Mr. REAVIS (interposing). Wasn't that your purpose rather than a purpose to win this war?

Mr. ORTH. Absolutely and unqualifiedly not. And I wish to say to you and to everybody in the United States that there never entered into my mind any one of the thoughts which you have outlined; that any conscious thought of the income tax or who voted for or against it, was not in my mind; that any conscious thought of where the money would be spent for increasing the Army was never in my mind; and that all the implications contained in your questions are unjust and unfounded.

Mr. JOHNSON. The committee will take a recess until 10 minutes of 2.

(Whereupon, at 12.50 p. m. o'clock, a recess was taken.)

AFTER RECESS.

The committee reconvened pursuant to the taking of the recess at 1.55 o'clock p. m.

TESTIMONY OF MR. CHARLES D. ORTH—Resumed.

Mr. ORTH. Might I ask, before we go on, whether the questions which you were asking me with regard to subscriptions or donations to the league were asked with a view of indicating that those moneys had been expended by the congressional committee?

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Mr. REAVIS. Oh, no; not at all. No; I realize that a great deal of the money concerning which I have asked you was expended in other ways, and that the sum total of the contributions of the men and corporations that I had in mind and which were the subject matter of my questions was much greater than the amount expended by the congressional committee. I think that very clearly appears in the record.

Mr. ORTH. May I also ask, if there is any question on the part of the committee that the money disbursed by me exceeded the sum of about $5,995, that I be questioned regarding the finances of the committee?

Mr. REAVIS. So far as I am concerned, Mr. Orth—and I am only expressing my individual opinion—if there is anything in regard to that that you think the record is not quite clear on, I would be very glad to have you put in the record any explanation.

Mr. ORTH. I do not know that there is.

Mr. REAVIS. I do not want this record to reflect anything except the facts; and, so far as I am able, I have been trying to get at the facts. And if there is anything in my inquiries to you, or in the answers made to those inquiries, that would be the basis for a false deduction, I would be very glad to have you put that in the record.

Mr. ORTH. No, sir; in view of what you have said——

Mr. REAVIS. I make the statement, and I want it to go into the record, that I know very well the amounts that were contributed by the men who were mentioned in my questions to you immediately before the adjournment for lunch were much greater than the amounts expended by you as head of the congressional committee. My recollection of it is that the amount expended by you was quite nominal, probably less than $10,000, although I do not recollect just what the record shows on that.

Mr. ORTH. I desire further to state that the moneys which were previously referred to in this morning's testimony were no part of the moneys which were expended by the congressional committee.

Mr. REAVIS. That leads to a line of inquiry which is utterly alien to the line of thought I had in mind and which I desired to follow by a continuation of the examination that was interrupted by the adjournment for lunch. But I will ask you a few things about that. There was a separate fund collected, was there not, to finance the activities of the congressional committee of this league?

Mr. ORTH. There was, sir. I have already testified before the committee regarding the financial arrangements which were arrived at between Mr. Menken, the then president of the league, and myself with regard to the finances of the league; and in an endeavor to secure toward the expenses of the congressional committee the sum which I had guaranteed I would secure to the league, I made an endeavor to secure subscriptions.

Mr. REAVIS. Now, as a part of the preliminary arrangements leading up to the applications of the several individuals for contributions for this congressional activity, an investigation was made of a certain directory by Col. Lydecker, was there not?

Mr. ORTH. Of a certain directory?

Mr. REAVIS. Yes; to ascertain of whom it was advisable to ask contributions—a "directory of directors?"

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Mr. JOHNSON. A directory of directories?

Mr. ORTH. Do I understand your question to be that Col. Lydecker gested to me, or to the congressional committee, how or where to ly for the money?

Mr. REAVIS. No; that was not the question at all. I say among the liminaries leading up to a determination of those from whom you uld ask contributions, Col. Lydecker made consultation of a cer- n "directory of directories"—was that it?

Mr. ORTH. I was not aware Col. Lydecker had made any consulta- n——

Mr. REAVIS. Well, I do not know that I am sufficiently informed to the facts to continue this line of examination and probably other mbers of this committee who have made an examination of the cords regarding it, will be in a better position than I to go into at matter. But I am going to ask you one question, anyway: Wasn't a certain list prepared from a "directory of directories" id submitted to Col. Lydecker?

Mr. ORTH. No, sir; there was not. May I supplement that answer?

Mr. REAVIS. Was a list of names from whom subscriptions were to e asked, with which to finance your activities, marked and furnished Lydecker for his approval or disapproval?

Mr. ORTH. No, sir. A list was made out in my office, under my irection; but so far as I know, Col. Lydecker had no knowledge, irect or indirect, to whom I was applying. I may further say that t a later date, when it apparently came to Col. Lydecker's attention, or the first time, that the congressional committee had been solicit- ng subscriptions for its work, he requested that the committee dis- ontinue that activity, which was the first contact he had with what I was doing.

Mr. REAVIS. There is certain data that has been gleaned from an inspection of the correspondence of the congressional committee that is in the hands of the league, that is in the possession of other members of the committee who are more familiar with the subject than I, and I will not pursue the inquiry further. But I want you to understand, Mr. Orth, that the financing of your part of the league will be gone into by some other member of the committee with the object of giving you a full opportunity to explain anything in the record from which you think an erroneous deduction could be made. But I will not pursue the matter further, because I am not familiar with the facts and it would be a waste of time for me to do so.

I want to direct your attention to No. 6 on your chart, and to ask you if the statement contained in the chart to the effect—and I now quote: "This amendment was designed to prohibit to American ships their legal right to carry arms or ammunitions in their cargo" is an accurate statement of the effect of the Cooper amendment?

Mr. ORTH. I think it is, sir.

Mr. REAVIS. You are familiar with the Cooper amendment?

Mr. ORTH. I am, sir.

Mr. REAVIS. You are familiar with the armed neutrality bill to which the Cooper amendment was offered?

Mr. ORTH. To a large extent.

Mr. REAVIS. Now, the armed neutrality bill was a matter of considerable comment at and about that time, was it not?

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Mr. ORTH. It was.

Mr. REAVIS. There probably was no measure before the Congress, either during the days immediately preceding the war or during the war, that was given as much newspaper space as the armed-neutrality bill was given, do you think?

Mr. ORTH. I think that is correct.

Mr. REAVIS. That, at that time, in the opinion of those people who kept in touch with current events, and with congressional matters in particular, was one of the real important measures, was it not?

Mr. ORTH. I think it was, sir.

Mr. REAVIS. It was in the closing days of the Sixty-fourth Congress?

Mr. ORTH. Yes, sir.

Mr. REAVIS. And out of which came that somewhat notorious, if not immortal, document where certain Members of the Senate of the United States were dubbed as the "willful twelve"; do you recall that?

Mr. ORTH. Yes, sir.

Mr. REAVIS. It was the subject of debate in the Senate of the United States all of the day and of the night before, preceding adjournment, wasn't it, and even up to the hour of adjournment on the 4th of March?

Mr. ORTH. Yes, sir.

Mr. REAVIS. And the bill failed because of the expiration of the Sixty-fourth Congress?

Mr. ORTH. Yes, sir.

Mr. REAVIS. You remember the newspapers were full of it?

Mr. ORTH. I remember the facts, sir.

Mr. REAVIS. The President gave it great prominence by attacking those Senators whom he said had engaged in a filibuster for the purpose of depriving him of his authority?

Mr. ORTH. I remember it.

Mr. REAVIS. Why didn't you give the vote on the armed-neutrality bill in your chart? An amendment to the bill surely was not so important as the bill itself.

Mr. ORTH. You mean the vote on the armed-neutrality bill in the House, sir?

Mr. REAVIS. Yes; the vote on the armed-neutrality bill in the House and Senate both—the conduct of the Senate and the vote in the House.

Mr. ORTH. I do not remember there had been a vote in the Senate.

Mr. REAVIS. No; there wasn't any vote on that bill in the Senate, but the conduct of the Senate.

Mr. ORTH. The reason was, we considered, sir, that the Cooper amendment represented the essence and substance of the whole question rather than the bill itself.

Mr. REAVIS. Well, now, I am—unfortunately, probably—among those who voted in favor of the Cooper amendment, for I find on No. 6 I have a cross in front of my name. Now, if I may be permitted to speak personally, as probably some of the members of the committee know, I was the first man that suggested in either branch of Congress an armed-neutrality bill. Some time before the President made any request, or before there was any public sentiment for

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I delivered a short address in the House advocating what I ought was entirely essential for the protection of American rights at had been ruthlessly assaulted on the seas, and that I thought an pedient, short of war, would be the arming of those vessels. Now, nen it came to the Cooper amendment to the armed-neutrality bill, ongress was confronted with the situation of a reluctance to get to this war if it were possible to maintain our rights short of ing to war; because many men feel that war is justified only as a st resort. The Cooper amendment denied to the President the ght to arm ships which carried munitions and arms; that was in ubstance the Cooper amendment, was it not?

Mr. ORTH. I think so, sir.

Mr. REAVIS. The President was asking for some authority additional to the authority that he was granted under the Constitution when he asked the Congress to enact a law investing him with right to arm these ships, was he not?

Mr. ORTH. Why, I judge from the fact that he afterwards armed hem that he probably possessed the necessary authority before as sked for this. Is that responsive?

Mr. REAVIS. Well, if he possessed the authority under the Constitution to arm those ships, what was the necessity of Congress granting the authority to arm those ships?

Mr. ORTH. Why, I do not suppose there was any absolute necessity; but I do not see what objection could have laid against it.

Mr. REAVIS. The only objection would be taking up the time of the Congress in doing an idle and an unnecessary thing, if he already had the authority.

Mr. ORTH. I should think in a general that is undesirable.

Mr. REAVIS. I agree with you, Mr. Orth; I have always thought that and do nnw; that in view of the assault that was being made upon the American rights on the seas, that the President had ample authority to arm those ships under the Constitution and without any legislation granting it to him. And I so advocated on the floor of the House and I so advocate now. But he did come to us and ask us for the privilege of arming those ships; you remember that?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, can you see any distinction (not legal distinction, because I know that you are not a lawyer), between an owner of a ship arming his own ship and the Government of the United States arming ships through congressional authority and by the act of the President?

Mr. ORTH. Why, no distinction so far as the act itself is concerned, but a very great distinction so far as the moral authority for so doing is concerned.

Mr. REAVIS. I am not speaking, Mr. Orth, about the moral authority; I am talking about the legal effect of it. If an individual (and I speak of an individual as a copartnership or a corporation, to distinguish it from the Government), should arm a ship which the individual, or partnership, or corporation owned that would not be attributable to the Government, and the Government would not be held responsible for it, provided the individual violated no law. That follows as a matter of common sense, doesn't it?

Mr. ORTH. I should say so.

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Mr. REAVIS. But if the Government arms a ship, through congressional authority and by the act of the President, then the Government becomes responsible for the effect of arming that ship, does it not?

Mr. ORTH. Yes.

Mr. REAVIS. Well, did you know, or do you now know, that there had never been any dispute about the proposition of international law, that the arming of a ship carrying munitions which the Hague tribunal, are made contraband, consigned to a belligerent power, the arming, being done by a neutral power, is tantamount to an act of war?

Mr. ORTH. You are taking me in a little over my head, Congressman.

Mr. REAVIS. I want to know whether you know, or not, Mr. Orth.

Mr. ORTH. But I assure you that I had not gone into—my knowledge is not sufficient to enable me to answer your question.

Mr. REAVIS. Now, if there were an international obligation by certain treaties to which the United States had become a party and was bound thereby—because we have never adopted the German theory of casting aside a treaty as a scrap of paper, and I trust to God we never will—the shipping of munitions, being declared contraband by the treaty, to a belligerent power by the neutral power, is one of the cases where the belligerent powr has the right of what we call sizure and search?

Mr. ORTH. I believe that is correct so far as seizure and search were recognized by international law.

Mr. REAVIS. Let us carry it a step further: Whenever a vessel is armed by a government as a protection to the vessel's carrying contraband, in violation of the provisions of a treaty, international law looks upon it as tantamount to a denial of the right of search and seizure and for that reason declares it to be an act of war?

Mr. ORTH. I do not know; my impression——

Mr. REAVIS. Suppose, during the debate in Congress, when the Cooper amendment was offered to the armed-neutrality bill, that it was conceded by all parties concerned—proponents and opponents of the Cooper amendment—that for the President, acting for this Government under congressional authority, to arm ships carrying munitions would be an act of war, can you see how some Congressmen might be deterred from granting that authority at that particular time?

Mr. ORTH. I can see how some particular casts of mind might be deterred from granting that authority for fear it would involve the country in war; yes, sir.

Mr. REAVIS. Then, carry it a step further: Suppose those Congressmen had it in mind all the time that the private owner, who had the right to arm his vessel and had been arming them from the very beginning of the conflict in Europe and who continued to arm them until the war was over, still had that right even if the Cooper amendment was adopted; can you see how that might operate on a Congressman's mind to make him favor the Cooper amendment?

Mr. ORTH. I will have to ask to have the question read, please.

The STENOGRAPHER (reading): Then, carry it a step further: Suppose those Congressmen had it in mind all the time that the private

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owner, who had the right to arm his vessel and had been arming them from the very beginning of the conflict in Europe and who continued to arm them until the war was over, and still had that right even if the Cooper amendment was adopted; can you see how that might operate on a Congressman's mind to make him favor the Cooper amendment?

Mr. ORTH. I think I could see that, Mr. Congressman; but I think it involves a practical every-day question which your question did not take cognizance of, and that is the question of getting the guns, which you can only get from the United States.

Mr. REAVIS. That is not quite accurate, Mr. Orth, and it probably is because you have not the information. These vessels had been armed from the very beginning and all during the European war and up to the time the Cooper amendment was offered. Mr. Lydecker said he knew that. Didn't you know it?

Mr. ORTH. Am I to understand that all the vessels, regarding which the armed-neutrality bill and the Cooper amendment were legislating, had been armed all the time?

Mr. REAVIS. Oh, not all the vessels; I do not mean that. But the privately owned vessels and the privately controlled vessels, many of them, had been armed by private action and by other action from the very beginning of the conflict.

Mr. ORTH. Were not those guns secured from the United States Government?

Mr. REAVIS. I do not know whether they were secured from the United States Government or not.

Mr. ORTH. I believe they were, sir.

Mr. REAVIS. The point of how they were secured is of no concern as far as the Cooper amendment is involved. The point I am now putting to you is this: If these private vessels (some of them, at least), had been armed from the very beginning and there was nothing in the Cooper amendment that would deprive them of the right to arm or to deny the right to the vessel to carry munitions, even without being armed, as they had been doing before, and did do it afterwards, how can you say that the Cooper amendment, if enacted, would have been an embargo or stopped the shipment of arms and munitions to belligerent powers?

Mr. ORTH. Why, what I said was this amendment was designed to prohibit to American ships their legal right to carry arms and munitions in their cargo.

Mr. REAVIS. Yes.

Mr. ORTH. And the Cooper amendment——

Mr. REAVIS. Read the Cooper amendment, Mr. Orth, and see if it was designed for any such purpose.

Mr. ORTH. The Cooper amendment reads: "*Provided*, That no ship of American registry, armed in the manner aforesaid, shall carry cargo consisting, in whole or in part, of arms or munitions consigned to a belligerent country, or to a citizen thereof." Now, my contention is that inasmuch as American ships, armed in the manner aforesaid, possessed the right to carry arms and munitions, that this amendment was clearly what the chart says in there—designed to prohibit to American ships their legal right to carry arms and munitions in their cargo.

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Mr. REAVIS. Wouldn't it have been more accurate and more fair if you had said in your sixth subdivision, "this amendment was designed to prohibit to American ships that were armed by the President, their legal right to carry arms and munitions"? You could have put four words in there and made it accurate. Now, why didn't you do it?

Mr. ORTH. Because it never occurred to me, sir. I would have been very glad to do it if the suggestion had been at that time; and in view of the various statements which you have made, Congressman, I want to say I sincerely regret that you did not answer our questionnaire and reply to all those questions in that way, in which case we would have circulated that with the same industry, in the same manner, and to the same extent that we circulated this chart.

Mr. REAVIS. I am going to tell you about that. This chart was published long before you sent me any questionnaire—long before and circulated long before. So your statement that if I had answered your questionnaire—it would not have affected the language in No. 6 at all, because it was already out in the Nation. But I did answer your questionnaire; do you recall it?

Mr. ORTH. Yes: I have the letter with me, sir.

Mr. REAVIS. And I told you that I would just as soon give you, a stranger, assurance of my loyalty to the head of my house and to my children as I would to give you assurance of my loyalty to my country; and that I would welcome an inquiry from you, a stranger, about as much in the one case as I would in the other.

Mr. ORTH. I remember it very distinctly.

Mr. REAVIS. I thought your questionnaire to me, dictating to me what kind of peace I should favor and carrying the suggestion that I should pledge my loyalty to you (and I do not say this offensively) was the most impertinent letter I ever received in my life.

Mr. ORTH. It was not so intended, Congressman.

Mr. REAVIS. That is the way it was received.

Mr. ORTH. Well, I am sorry. Your letter was dated September 28——

Mr. REAVIS. That was dated September 28 in response to your letter, and you stated if I had answered that questionnaire it might have resulted in a correction of the inaccuracies in a chart that was gotten out in July previous and had already been sent across the Nation.

Mr. ORTH. Not exactly that; it would have resulted in a statement of your views which, I presume, and which undoubtedly, were the same then as they are now, and which you have more or less largely indicated to-day. It would have resulted in such a statement of your views by you being circulated in every place where the chart had been circulated, and in your district, if your district happened to be one of those districts in which we made an intensive campaign.

Mr. REAVIS. I want to carry this Cooper amendment a little further. I do not want to interrupt you if you care to read the document you have in your hand——

Mr. ORTH. I merely wish to point out that in my letter of October 4—I have no objection to putting the whole thing in the record, if you desire it—in my letter of October 4, in answer to yours of September 28, I then stated what I have just referred to, that our ques-

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tionnaire was sent to you to enable you, in your own way and in your own words to present your side of the case.

Mr. REAVIS. In other words, you gave me the opportunity in September to defend myself against an inaccurate and untruthful statement that you had made Nation-wide in July, previous?

Mr. ORTH. I gave you the opportunity, sir, or the National Security League gave you the opportunity, of replying to what we had stated, in which case your reply would have been circulated in exactly the same places and even to a larger extent than this chart had been circulated.

Mr. REAVIS. In other words, you gave me the opportunity, generously, freely, and fairly——

Mr. ORTH. It was meant well, sir.

Mr. REAVIS (continuing). To defend myself against a charge that you had made against me that was absolutely incorrect?

Mr. ORTH. It gave you an opportunity, sir, of making whatever explanation you desired regarding the votes that you had cast in the House of Representatives.

Mr. REAVIS. Suppose that I had made the reply that the Cooper amendment did not deny the right to ship arms and munitions at all, but only denied the President the right to arm a certain character of ship. That would have been defending myself against the charge that I had voted for an amendment that would prohibit all American ships from carrying arms and munitions, would it not?

Mr. ORTH. Why, it might have been doing that, sir; and I think, under the circumstances, that it might have been a simple and easy thing for you to do it and it would have afforded me a great deal of pleasure in circulating it and trying to do exact justice.

Mr. REAVIS. Now, Mr. Orth, I think the whole trouble comes, or the larger portion of the trouble comes, from permitting you to draw deductions and to construe legislation in a Nation-wide educational campaign when, under the circumstances, unfortunately, you had never had any experience with legislation at all; for the construction placed in the first acid test, on the McLemore resolution, and the construction placed in the acid test No. 6, are not only inaccurate but they are absolutely impossible. And yet you compelled 435 men, or that number who were charged with voting wrong on those two measures, to defend themselves against a charge that was untrue. Don't you recognize that?

Mr. ORTH. Why, not quite in the manner that you put it, sir. I still believe that the description of the McLemore resolution and of the Cooper amendment in the chart, as given, give the essence and fundamental principles of the two measures involved. I do not believe, I am very frank to say, that they encompass all the technical legislative details and refinements, which actually existed, which it might have been desirable to put in the presentation, had the practicability of it been possible. But we really had in mind the endeavor to try to announce and put out honestly and faithfully any offset to those that might reasonably exist; and I might say we did it when people came to us; we gladly did it when people came to us and explained there was any injustice.

Mr. REAVIS. You know I am not very much impressed with the generosity of a volunteer organization that falsely accuses men and

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then justifies its position by stating they gave him an opportunity to deny those charges; that does not appeal to me very much.

I want to ask you a question about the Cooper amendment, and I want you fairly and frankly to answer me. You have the Cooper amendment before you, and you undoubtedly looked it over at least at the time you made this accusation. Does the Cooper amendment, if it were adopted, prohibit to American ships their legal right to carry arms and munitions in their cargo? Now, honestly, does it do anything of the kind?

Mr. ORTH. Does the Cooper amendment, if adopted, prohibit to American ships the right to carry arms and munitions?

Mr. REAVIS. In their cargo.

Mr. ORTH. I think it does, sir.

Mr. REAVIS. Suppose the ship was not armed, it could carry them, couldn't it, even if it were an American ship?

Mr. ORTH. It could carry them, even if it were an American ship, but it would do so at the risk of the illegal submarine traffic without any means of defense.

Mr. REAVIS. No matter what risk was involved it was not prohibited from carrying them, was it?

Mr. ORTH. No; I think not.

Mr. REAVIS. If the ship were armed by private authority as distinguished from Government authority it could carry arms and munitions in its cargo, could it not?

Mr. ORTH. It could.

Mr. REAVIS. And so it was not prohibited from carrying arms and munitions in its cargo?

Mr. ORTH. No; it was not prohibited.

Mr. REAVIS. Then when you make the bald, unqualified, unlimited statement in this chart that if the Cooper amendment was adopted it would have prohibited to American ships their legal right to carry arms or munitions in their cargo do you think it states what is true?

Mr. ORTH. Why, I see your point of view, sir, and, following the question along the lines which you have put it, why, the conclusion would be as you say.

Mr. REAVIS. Yes; undoubtedly. Now, men who went down to defeat, who were proud of their political careers, men who had worked all of their lives to equip themselves for the office they were holding, who wanted to leave the heritage to their children of a good record in Congress and a good name as a legislator, were humiliated by defeat caused by just such accusations as that on the part of the National Security League, did they not?

Mr. ORTH. I do not know that that is the case, sir.

Mr. REAVIS. That is what you tried to do?

Mr. ORTH. But I do not know of any man, and I would like to ask you if you can give me the name of any man who was defeated on account of the vote on the Cooper amendment alone.

Mr. REAVIS. I do not know about that.

Mr. ORTH. But you implied that.

Mr. REAVIS. I am talking about these false accusations in here. Mr. Barnhart was defeated.

Mr. ORTH. Mind you, I have not admitted the accusations were *false; I* merely stated that so far as it was given to me, an average

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American citizen, to understand the Cooper amendment, that the purport of the action of the House has been essentially stated. That is my answer to your question.

Mr. REAVIS. Would not the average American citizen have understood it if you had added four or five words so as to make this No. 6 read, as I will now read it, "This amendment was designed to prohibit to American ships—now add the words—armed by the President, their legal right to carry arms or munitions in their cargo"? Wouldn't they have understood that?

Mr. ORTH. I think so, unquestionably.

Mr. REAVIS. And that would have been accurate, too, would it not?

Mr. ORTH. That would have been accurate.

Mr. REAVIS. And any other statement is not accurate, is it?

Mr. ORTH. Why, any other statement is not as technically accurate as that one, sir; but any other statement can be substantially and technically, honestly, and conscientiously accurate.

Mr. REAVIS. I am awfully sorry Webster ever discovered those two words, substantially and technically. They have caused me more worry——

Mr. ORTH. If I were a lawyer I might not have to use them.

Mr. REAVIS. Now, Mr. Orth, these charts were issued in certain districts during the primary elections, were they not?

Mr. ORTH. I think the answer to that question is no. When the chart was issued, my best recollection is that it was inclosed together with one of the exhibits which has already been introduced here, which we call, in the office, a digest; that that chart, accompanied by the digest, was mailed to 1,400 newspapers on the National Security League's mailing list and thereafter circulated almost entirely by being sent out to many Members of Congress and others. Of course, the other applications were greater in number, but I mean to say many Members of Congress asked for it and received it, by private circulation, and that applied to this other printed matter which went out into what I have dubbed the intensive districts. The chart was not given any general circulation, and then it was given all this circulation in the intensive districts, accompanied by the mailing, in one or two days, giving printed copies of the questionnaires of candidates.

Mr. REAVIS. You had a press sheet, didn't you, that was sent out practically in company with this chart?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Why didn't you make the explanation, fair explanation, in the press release which accompanied the chart which you now say would have made the chart more accurate if it had been made?

Mr. ORTH. Simply because it never crossed my mind, directly or indirectly; and it never crossed my mind directly or indirectly any thought that I was doing an injustice, or any thought that I was indulging in any unjust or improper sentiments in dealing with those measures. I did what seemed to me fair and honest at the time.

Mr. REAVIS. We will come to No. 7, the declaration of war against Germany. There being no possibility of error on that proposition, I do not find any in your chart. Now, the declaration of war against Germany came up about April 5, 1917, did it not?

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Mr. ORTH. Yes, sir.

Mr. REAVIS. That was during a special session of Congress, called for that purpose, as you recall it?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Mr. Orth, to get your frame of mind, are you an advocate of war?

Mr. ORTH. Only under such circumstances where it is unavoidably necessary to maintain the safety or honor of our country.

Mr. REAVIS. You believe that war is not justified until all other expedients that have any promise of accomplishing the purpose involved, have been tried?

Mr. ORTH. I believe it is not justified until all proper expedients have been tried. By that I mean expedients which are not at variance with the honor, dignity, and future safety of the country.

Mr. REAVIS. As an abstract proposition, don't you believe that war is out of harmony with the Christian civilization and the spirit of this age?

Mr. ORTH. Why, the two things—oh, I think the answer to that question ought to be yes.

Mr. REAVIS. Why, of course. You know, I was over to Fort Myer here where a lot of fine boys were drilling and training in the officers' training camp after we got into the war, and I saw them go through their bayonet drills, and I heard an English officer lecture to them. They were being taught to kill other boys, and on the other side of the seas other boys were being taught to kill them. Now, as an abstract proposition, you can settle the question of the physical supremacy between those two boys by a conflict; but is that the proper way to settle a question of wright and wrong that is entirely alien to the question of physical supremacy, in your judgment?

Mr. ORTH. My abstract answer to that abstract question is no.

Mr. REAVIS. Now, I am not talking about a defensive war—that a nation is pushed into to defend its honor and its dignity and its sovereignty and the rights that have obtained through the centuries—I am just talking of war in the abstract. Don't you think the human race, in its present state of its enlightenment, ought to have some other way to settle these things than by killing the youth of the land?

Mr. ORTH. I think it ought to, sir; but it has not yet done so.

Mr. REAVIS. I am glad of the latter part of that answer. I did not know we had not yet done so. The trouble is, Mr. Orth, you volunteer so much. I am just asking you not whether we have done so, but don't you think there ought to be a way that the human race should work out that which would stop wars in the future?

Mr. ORTH. I think it is one of the most desirable things in the world, sir.

Mr. REAVIS. There is not a question about that. Don't you think a Congressman who is brought face to face with the responsibility of destroying the boys of a hundred million people has a pretty heavy burden on his shoulders?

Mr. ORTH. Undoubtedly.

Mr. REAVIS. Don't you think that the Congressman who has enough *imagination* to put himself in the other fellow's place and who thinks *of the people* back home whom he represents, and of the boys that had

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en educated by the sacrifices of their parents to become good citi-ns, would think prety hard before he would vote for a measure at might take their lives?

Mr. ORTH. He would think just as hard, sir, as Mrs. Orth and I hen we consented that my stepson and her son should go to war fore it was essential for him to do so.

Mr. REAVIS. But you would not have faced that proposition if ongress had not voted for war?

Mr. ORTH. No, sir; he made his decision to go to France before we ere in the war.

Mr. REAVIS. Yes. Now, then, it was a very serious problem for you o determine that action with reference to one boy, and Congress was letermining it with reference to millions of boys. That is a pretty erious proposition, isn't it?

Mr. ORTH. It is very serious, unquestionably.

Mr. REAVIS. Before a man would be justified in taking an action f that kind, he ought to be satisfied in his own mind that it was absolutely necessary, don't you think?

Mr. ORTH. Why, he ought to be satisfied it was absolutely necessary from some predominating point of view, the same as I was satisfied it was necessary in the case I have stated.

Mr. REAVIS. He ought not to do that because somebody told him to do it, should he?

Mr. ORTH. No; he ought to be able to do so of his own judgment.

Mr. REAVIS. And if there is any question in his judgment that all expedients short of war, by which the rights of the Nation could be protected, had not yet been exhausted, that was a matter that should enter into his consideration, should it not?

Mr. ORTH. I should think it should, sir, if he was convinced on that point to an extent where it might be made demonstrable to a majority of his fellow citizens.

Mr. REAVIS. On February 26, 1917, about forty days before the declaration of war, the President came down here to talk about the armed-neutrality bill and he used this langauge: "I am not now proposing or contemplating war, or any step that need lead to it." Now, that was just forty days before the declaration of war, or about forty days before the declaration of war. Forty days thereafter, with nothing occurring in the meantime, with not a vessel having been sunk nor an additional American right infringed, the President came to Congress and demanded a declaration that a state of war existed. The average Congressman knew that the President was in possession of all the information and there were some who stood on the floor of the House and said before I take this step, at the command of the President, I have got to know what has occurred that would justify a man forty days ago saying that he was not contemplating war or any step that need lead to it, in coming to Congress on this date and demanding a declaration of war. Do you think that Congressman was justified?

Mr. ORTH. If the sole considerations which should form that Congressman's judgment were those which you have stated, he would have been justified.

Mr. REAVIS. Suppose that the Congressman thought that the rights of America on the seas, which were the only rights up to that time

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that had been attacked, the only personal rights—suppose he thought that they could be amply protected, as the President had thought forty days before war was declared, by the arming of those ships and that that was an expedient that had not yet been tried, would he have been justified?

Mr. ORTH. Yes; if that were the case; but I believe other rights had been violated prior to that time.

Mr. REAVIS. The point I am coming to is this: This Nation is not a democracy in which the people control their Government directly: this Nation is a republic in which the people control their Government through representation by representatives. Now, if the representatives of the people will vote the Nation in war because he is told to do it, why not change our constitutional form of government and let the man who tells us do it himself?

Mr. ORTH. It depends upon by whom he is told to do it.

Mr. REAVIS. I beg your pardon?

Mr. ORTH. It depends upon by whom he is told to do it.

Mr. REAVIS. I am assuming that the President in his demand for a declaration of war instructed Congress what to do.

Mr. ORTH. I had not given the thing very full consideration from that point of view, but I should say that if the reasons of the President coincide—pardon the repetition of the phrase—with the overwhelming public sentiment of the country, that it was the duty of that American, as a Member of the Congress of the United States, to do as he was told.

Mr. REAVIS. Let me suggest this to you: There is a good deal of doubt in the minds of a great many people, and I share that doubt, of whether a referendum to the people of the United States would have resulted overwhelmingly in a demand for a declaration of war, and I think I am just as familiar with the general sentiment through the country as you were. But that is merely a matter of opinion, at best. The point I am getting to is this: Whenever a Representative of the people is obedient to the commands of another, rather than obedient to the sentiment and wishes of the people whom he represents, doesn't he destroy representative government by his own unfitness?

Mr. ORTH. Why, sir, first I think that your view that a majority of the people of the United States might have been against war is not correct.

Mr. REAVIS. I did not express that.

Mr. ORTH. I thought the first part of your statement was to that effect.

Mr. REAVIS. I made the statement I disagreed with you that a referendum would have shown the overwhelming sentiment of the people was in favor of it.

Mr. ORTH. Basing it on those terms, in so far as the Representatives in Congress are representatives of their various districts, it would appear that 375 out of 435 Congressmen interpreted the wishes of the districts which they represented as being in favor of war.

Mr. REAVIS. Yes. Let us carry it a step further. When they got back, in the first congressional election after war was declared, the *majority* of those who voted against war were reelected. That was

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expression of the people. The overwhelming majority of those ıo voted against war were reelected to Congress. Does that indi- :e anything?

Mr. ORTH. I believe that is correct. I believe it may have indi- ted that the people in those particular districts did not share the eat majority opinion regarding war.

Mr. REAVIS. On the selective conscription act, which is really the st legislative measure that was passed by the Congress which)ted for war, I am not disposed to disagree with you. I thought hen that was enacted, and I think now, that it was the most vital easure that came before the Sixty-fifth Congress, and I thought) for the reason we were in a war on a foreign soil that was far re- ıoved from us, and the sentiment of the people was divided, and if ıe Nation was to sustain its dignity, it was the democratic way, nd I think the necessary way, to get an army by conscription, and hat if we did not get it, the Nation might present a very humiliat- ng spectacle. For that reason, I voted for it. But I want to take he attitude of those men who did not vote for it, whose loyalty is alled in question by your league, because they did not vote for it. I listened to Mr. Menken the other day in his very severe strictures against the volunteer system. Do you share that view?

Mr. ORTH. I would like to be able to answer correctly, but I have not the views sufficiently in mind to honestly answer that question.

Mr. REAVIS. You know some of the history of the country during war?

Mr. ORTH. Yes; but you are asking me based on Mr. Menken's views.

Mr. REAVIS. I do not believe I ever heard a man criticize the volunteer system as he criticized it. Do you think it has proved an ineffective system—the volunteer system?

Mr. ORTH. No, sir; I do not.

Mr. REAVIS. There were a good many men who voted against conscription who did so on the proposition they wanted to try the volunteer system out, and that is all that measure provided, and if it proved a failure, they would go to conscription. But they wanted first to try out the volunteer system for a very limited period, and they had behind them what I think is the most glorious record ever written by the soldier, and that is the volunteer soldier of America, written in the Civil War and written in the Spanish-American War. Now, don't you think they were justified in following a judgment that was based upon the history of the Nation without being accused of being disloyal?

Mr. ORTH. I do not, sir.

Mr. REAVIS. You do not think so?

Mr. ORTH. No, sir.

Mr. REAVIS. You think that the men who had the judgment that the volunteer system having proved effective, and therefore they were justified in wanting to try it again, should be classed as disloyal because they so voted?

Mr. ORTH. If a man felt that the volunteer system had been a perfect failure——

Mr. REAVIS. No; you do not understand me: That the Congressmen who voted on the military bill in favor of giving the volunteer

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system a trial for a limited period, with the alternative of going to conscription if the volunteer system did not prove effective, justified in that belief by the history of the volunteer soldier in America through two wars—don't you think that a reasonable man could entertain that judgment without subjecting himself to a charge of disloyalty from your league?

Mr. ORTH. I do not, sir. The necessity of an army was so imminent that it seemed, I believe, in the opinion of a majority of the people to be equivalent to be "Fiddling while Rome is burning."

Mr. REAVIS. Australia never had conscription, did it, during the period of this war?

Mr. ORTH. No.

Mr. REAVIS. Do you know anything of the record made by the volunteer soldier in this war?

Mr. ORTH. Very substantially.

Mr. REAVIS. You know practically the first American soldier that went to France after we declared war was a volunteer soldier?

Mr. ORTH. I imagine he must have been.

Mr. REAVIS. Do you know the Forty-second Division, which you know is called the "Rainbow Division," was composed exclusively of National Guard troops?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Do you know the record that division wrote in France?

Mr. ORTH. Magnificent.

Mr. REAVIS. I happened to be with them two days, just north of Chateau-Thierry, in the drive that started down in the village of Vosges and that ended away over near the German border when they applied for armistice. Do you know there is one regiment of volunteers in that division, with a war strength of 3,600 men, that has had more than 12,000 replacements to pass through that one regiment of volunteer soldiers—do you know that?

Mr. ORTH. I do, sir.

Mr. REAVIS. I thought of that when the superman in New York the other day was criticizing the volunteer soldier the way he did from his law office in New York.

Mr. ORTH. Was it entirely fair to the volunteer that he should have to do that?

Mr. REAVIS. It was the most unjust thing, I think, I ever heard, and I am surprised that any man should want his name attached to the statements he made. Do you know that the Rainbow Division, composed exclusively of volunteer soldiers, were held in the trenches without relief from the 19th day of February until the 29th day of July following?

Mr. ORTH. No, sir; I did not. May I ask, as a matter of interest, what the reason was?

Mr. REAVIS. Yes; we did not have the troops there, and the allies were giving way, and it required the pep and enthusiasm and restless and almost incredible courage of the American soldier to stop the Germans, and that is what they did, [illegible] and I saw it; and they were stopped by the American [illegible] way, do you think a man who had behind him the his [illegible] soldier America and the history that they [illegible] stand in

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tory they have written in this war, was justified in thinking we ıld fight this war with volunteers as well as with conscripts?

Mr. ORTH. Why, if he had had that knowledge at the time he ɛed, and if he had known that a sufficient number of such volun-rs could be obtained, my answer would be, yes; otherwise it would , no.

Mr. REAVIS. Was not the bill safeguarded in that regard to the tent that the volunteer system should be tried but a very limited ne, and if it was not successful then they should go to conscription?

Mr. ORTH. I can not remember the exact period; but I think it was ound that time or shortly after that, it was found volunteering as sort of lagging in this country and the delay which had seemed a great many people which would be involved by the plan contemlated to get the first 500,000 volunteers, and then to get the second 00,000 volunteers, might very seriously delay the prosecution of the ar.

Mr. REAVIS. It could not have delayed it more than a few weeks, ould it?

Mr. ORTH. That would involve a prophecy which I can not undertake as regards what the rate of volunteering would have been.

Mr. REAVIS. Under the law——

Mr. ORTH. I do not know the law specified how many weeks, or lays, or months it should be delayed.

Mr. REAVIS. It left it, as I remember, in the judgment of the department.

Mr. ORTH. Of the President, sir.

Mr. REAVIS. But without recalling that accurately, we got the man a good deal quicker than we got the things with which they fight, didn't we?

Mr. ORTH. I think at the start unquestionably we got the men quicker than the things with which to fight.

Mr. REAVIS. You talk about the start. I was in France in August, when there was only one Browning gun in France and 16 Liberty motors, in August of 1918. And I saw 3,500 aviators in the vicinity of France who did not have the machines to fly with. It was not getting the men, it was getting the other things, wasn't it—the material?

Mr. ORTH. It was getting the material from this country.

Mr. REAVIS. Well, it was getting the material from any country, because the boys in France in August were not equipped with them.

Mr. ORTH. I think they were considerably equipped with English and French material.

Mr. REAVIS. Oh, they were equipped with some French artillery; they were using the .75 gun. But I am talking about the Browning gun and the Liberty motor and those things that were necessary to fight this war. We had plenty of men; it was not a lack of men, it was a lack of the implements of warfare that was causing all the trouble.

Mr. ORTH. I believe it was, sir.

Mr. REAVIS. There is no question about that.

Mr. Chairman, I would like to discontinue at this point and to continue by examination later. I was compelled to make an engagement for this afternoon at 3 o'clock, and I would like to ask to be excused and allow some other member of the committee to pro-

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ceed with the examination at this time, and that I have the opportunity of concluding my examination later.

Mr. HARRISON. Mr. Orth, I do not want to duplicate any of these questions and answers that have been made and answered by you, but I have understood you to say in your testimony that you are not an expert in legislative matters?

Mr. ORTH. Correct, sir.

Mr. HARRISON. That you are not a parliamentarian, so far as the rules of a legislative body was concerned?

Mr. ORTH. That is the fact. I have a superficial knowledge of parliamentary rules.

Mr. HARRISON. But you are not an expert?

Mr. ORTH. No, sir; I am not.

Mr. HARRISON. You do not pose as an expert in a knowledge of legislative enactments and what Congress is doing?

Mr. ORTH. No, sir; I do not.

Mr. HARRISON. I understood you to say you read the Congressional Record. Do you read it every morning, or was it your practice to read it every morning in 1916, 1917, and 1918?

Mr. ORTH. No; my practice was to take the Record as it came to my office in New York and to carry it home and read it whenever opportunity offered, which was an average of three times a week.

Mr. HARRISON. How long have you been taking the Congressional Record regularly?

Mr. ORTH. My best recollection is that I have been taking it since 1915.

Mr. HARRISON. Did you read the Congressional Record regularly, all the votes, when the McLemore resolution was up for consideration?

Mr. ORTH. Yes, sir.

Mr. HARRISON. And the Kahn amendment to the Hay Army bill?

Mr. ORTH. I am not as clear in my mind as to the Hay Army bill, or the Kahn amendment, as I am about the McLemore resolution.

Mr. HARRISON. Did you read the debates on the Brandegee amendment to the Hay-Chamberlain bill?

Mr. ORTH. No, sir; I did not.

Mr. HARRISON. Did you read the Congressional Record as to section 56, providing for a volunteer reserve army wholly under Federal control?

Mr. ORTH. I glanced through all of those records.

Mr. HARRISON. Did you keep up with the debates in Congress on the motion to recommit the naval appropriation bill, which is marked No. 5?

Mr. ORTH. At that time?

Mr. HARRISON. Yes.

Mr. ORTH. No, sir.

Mr. HARRISON. You have read them since?

Mr. ORTH. I have read them since.

Mr. HARRISON. You have read in the Congressional Record the debates on all these questions since?

Mr. ORTH. I have, practically——

Mr. HARRISON. But not until you came here, though, as a witness and saw the line of the questions that were being propounded to other witnesses, did you?

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Mr. ORTH. Oh, no, sir; I read them since my connection with the ational Security League.

Mr. HARRISON. Did you read them before these eight questions were nbodied in this chart?

Mr. ORTH. No, sir.

Mr. HARRISON. So at the time these eight questions were embodied n this chart by you as chairman of this congressional committee you ad not read the debates on those questions on at least four of the oints?

Mr. ORTH. I had not carefully read them so that I could say I had n any sense mastered them.

Mr. HARRISON. So that, as a matter of fact, you did not know much bout them except from a casual reading of the papers at that time?

Mr. ORTH. Except from a casual reading of the papers at that time.

Mr. HARRISON. You were not an expert on those four questions?

Mr. ORTH. I am not an expert on those four questions.

Mr. HARRISON. Although you, as chairman of the congressional committee, put those four questions in the chart, along with the eight, as the most important preparedness and war measures?

Mr. ORTH. In the manner and under the circumstances which I think you have heard me testify to.

Mr. HARRISON. Yes. You were selected as chairman of this congressional committee, and in the course of the testimony that has been given by the other gentlemen they have constantly referred to you as the expert in charge of the committee that prepared this chart?

Mr. ORTH. That was very complimentary.

Mr. HARRISON. Well, you were supposed to know more about these matters than anyone else by being placed in that position, were you not?

Mr. ORTH. I do not know to whom you refer when you say I was supposed to know. I have carefully attempted to specify the extent to which I understood them and the extent of my knowledge.

Mr. HARRISON. But it was natural to presume, since you were made chairman of this congressional committee, that the National Security League membership thought you were an expert on those matters or knew more about them than the lay membership?

Mr. ORTH. I do not know anything that would imply that.

Mr. HARRISON. Do you think they would put a man in charge of that committee if they believed he was not familiar with those things?

Mr. ORTH. Yes; I think they would have chosen a man for many other considerations than mere technical familiarity with legislation and parliamentary rules.

Mr. HARRISON. You have a higher respect for the National Security League, haven't you, than to presume or suppose they would put in charge of the congressional committee a man who was not familiar with the debates in Congress on those matters and intrusting to that man the duty of making a chart to be distributed throughout the country.

Mr. ORTH. I think if the National Security League were to believe a man to be fairly and reasonably familiar with the subject in hand they would have chosen him.

Mr. HARRISON. But you had not read the debates on those questions at that time?

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Mr. ORTH. I had not carefully read them; no, sir.

Mr. HARRISON. You were not familiar with those four questions, then?

Mr. ORTH. I was as familiar with those four questions as the average American citizen.

Mr. HARRISON. When you prepared this chart you prepared it in 1918, and those debates and what the papers said about it was away back in 1916?

Mr. ORTH. Yes, sir; and I have testified that those four preparedness measures were put in the chart as a result of having exhaustive consideration by the National Security League before I joined it in 1916.

Mr. HARRISON. Who got up these four questions?

Mr. ORTH. Why, there is an exhibit in evidence here, which I happen——

Mr. HARRISON. I saw the exhibit. Who prepared that exhibit?

Mr. ORTH. I do not know, sir.

Mr. HARRISON. Has it never come to your knowledge who got those up?

Mr. ORTH. Why, I had believed that until recently that they had been gotten up by Mr. West, executive secretary, but I think he stated to me the other day—may I ask him who he said got them up?

Mr. HARRISON. Yes; I have no objection.

Mr. ORTH. Do you want to know who got up this tabulation?

Mr. HARRISON. I am asking you who got up these four preparedness measures. You said somebody else did, and I want to know who it was.

(The witness consulted with Mr. West.)

Mr. HARRISON. Now you can the question.

Mr. ORTH. These were gotten up under the direction of the congressional committee of the National Security League because they represented measures for the enactment of which the league was making a fight at that time.

Mr. HARRISON. That was away back in 1916?

Mr. ORTH. The compilation was in 1916.

Mr. HARRISON. But in your judgment, as chairman of the congressional committee, in 1918 you sanctioned those four measures as being important ones and incorporated them in this chart?

Mr. ORTH. In 1918, as chairman of the congressional committee, I sanctioned those measures because I understood and believed them to be representative measures showing the attitude of Members of Congress on the general subject of preparedness.

Mr. HARRISON. Yes. Now I am about to test your knowledge about those matters, Mr. Orth. You have put them in here and sent them out broadcast through the country as an expert, notwithstanding the fact you say you are not an expert. I am not going to ask you about the McLemore resolution. Mr. Reavis has questioned you about that. I am going to ask you about No. 2, the Kahn amendment to the Hay Army bill, March 23, 1916. You say this amendment sought to increase the Regular Army to 178,000, more nearly approaching a recommendation of the General Staff of the Army. Now I want to ask you how much did the Hay Army bill at that time propose to increase the Regular Army?

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Mr. ORTH. It proposed, I believe, to increase the Regular Army to 220,000.

Mr. HARRISON. The Hay Army bill proposed to increase the Regular Army to 220,000?

Mr. ORTH. I think so, sir.

Mr. HARRISON. Are you sure about that?

Mr. ORTH. Reasonably certain; yes, sir.

Mr. HARRISON. Then an amendment that proposed to increase the Regular Army to 178,000 was decreasing it instead of increasing it from what the Hay Army bill proposed?

Mr. ORTH. I can only say in answer to that, sir, that the wording of the chart on the four preparedness measures was, I believe, an exact copy of a pamphlet issued in July, 1916, and I have since discovered that the increase was to 220,000 instead of 178,000, as erroneously stated in that pamphlet.

Mr. HARRISON. You say in this chart, as to one of the four main preparedness measures, that those people who voted against the Kahn amendment thereby voted wrong, when they were voting for 178,000; when in your testimony you say the Hay Army bill proposed 220,000, at least 40,000 more than the Kahn amendment proposed, according to your statement?

Mr. ORTH. Yes, sir. I am compelled to testify to the facts as I see them.

Mr. HARRISON. I understand.

Mr. ORTH. And I wish to add that I do not believe that that changes the essential fact that that vote was nevertheless a vote on the subject of adequate and proper preparedness.

Mr. HARRISON. All right. If I understand you, you say in this chart that the Kahn amendment proposed to increase the Regular Army to 178,000 men; that the Hay Army bill, which the Kahn amendment proposed to amend, increased it to 220,000. Those who voted for the Hay Army bill, you say, voted wrong; those who voted for the Kahn amendment, that did not propose within 40,000 men to increase the Regular Army, voted right. Is that your statement?

Mr. ORTH. If your question implies that I have attempted to make a statement with regard to the vote on the Kahn amendment, and also with regard to the vote on the Hay Army bill, I do not so understand.

Mr. HARRISON. I understand. But you say in this chart here that this gives the congressional vote on preparedness and war, which shows the vote of each Member of the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eight principal preparedness and war measures. No. 2 is the Kahn amendment. You say that those who voted against the Kahn amendment voted wrong?

Mr. ORTH. Yes, sir.

Mr. HARRISON. That those who voted for the Kahn amendment voted right. And yet notwithstanding that fact, in your testimony you admit that the Hay Army bill proposed to increase the Regular Army to 220,000 men, and the Kahn amendment only to 178,000 men?

Mr. ORTH. I am afraid I have not made myself plain. My impression and what I intended to testify to was that the Kahn amendment sought to increase the Regular Army to 220,000; in other words, that so far as the wording in there is concerned, the distinction in the

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chart was wrong to the extent it specified the Kahn amendment meant to increase it to 178,000, whereas it should have stated it meant to increase it to 220,000.

Mr. HARRISON. Then you were wrong on that designation altogether?

Mr. ORTH. That the chart was wrong in that designation to the extent it did not specify correctly the number of men.

Mr. HARRISON. And yet you were proposing to give truthful information to the voters of the country?

Mr. ORTH. Proposing to give truthful information to the voters of the country; yes, sir.

Mr. HARRISON. And you were telling them that the votes on that Kahn amendment were either right or wrong, according to this chart; is that correct?

Mr. ORTH. Yes, sir; and our designation of the votes as right or wrong was arrived at on the principles involved rather than on the details involved.

Mr. HARRISON. I understand. To how many men did the Hay Army bill propose to increase the Regular Army?

Mr. ORTH. If there was anything in the Hay Army bill—you mean the original?

Mr. HARRISON. The bill of March 23, 1916.

Mr. ORTH. The original Army bill?

Mr. HARRISON. Yes, sir.

Mr. ORTH. My best knowledge is that it proposed to make it 140,000.

Mr. HARRISON. Don't you know now, as the expert in charge of the congressional committee that is giving out this information to the people and then asking "What are you going to do about it?"

Mr. ORTH. Yes, sir; I think I do.

Mr. HARRISON. It was 140,000?

Mr. ORTH. It was 140,000 men as specified in the original bill.

Mr. HARRISON. Let me ask you if it is not a fact it was 175,000 and not 140,000?

Mr. ORTH. As far as my best knowledge goes, it is not, sir. I believe that the Congressional Record of March 23 stated that the increase was proposed to be to 220,000, instead of 140,000.

Mr. HARRISON. Have you seen the bill that was reported by the Military Affairs Committee to which the Kahn amendment was offered as an amendment; have you read it?

Mr. ORTH. No, sir. I attempted to get a copy, but——

Mr. HARRISON. Then, you do not know that the Hay Army bill reported by the Military Affairs Committee, to which the Kahn amendment was offered as an amendment, did not propose to increase the Regular Army to 175,000?

Mr. ORTH. No, sir; I only know from what I read in the Congressional Record.

Mr. HARRISON. I state to you as a fact that it proposed to increase it to 175,000 men. And you say in this question No. 2 that those who voted against 178,000 voted wrong, and those who voted for it voted right? That is what you state, isn't it?

Mr. ORTH. That is what I so stated.

Mr. HARRISON. Then, there is only a difference, according to this chart, which says 178,000 men which the Kahn amendment pro-

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sed—there is only a difference between the Hay Army bill which e Military Affairs Committee reported of 175,000 men and the mber of men proposed by the Kahn amendment, according to this art, of 3,000 men?

Mr. ORTH. That is correct as far as the statement on the chart is ncerned.

Mr. HARRISON. And a man who voted for 3,000 less than the Kahn nendment proposed, according to your chart, was voting wrong, id those who voted for the 3,000 increase voted right, according to our chart?

Mr. ORTH. The votes which we recorded were votes on the 175,000 id 220,000.

Mr. HARRISON. But you do not say so in your chart; you state in our chart the Kahn amendment proposed to increase it to 178,000.

Mr. ORTH. There is no question about what is stated in the chart.

Mr. HARRISON. Absolutely. As a matter of fact, there was only difference of 3,000 between the 175,000 proposed in the Hay Army ill and the Kahn amendment, as you have embodied it in your chart, f 178,000? That is true, is it not?

Mr. ORTH. There is only a difference of 3,000 between the number ncorrectly stated in the chart and the number you inform me was stated in the Hay Army bill.

Mr. HARRISON. And yet you are telling the country that those who voted for that difference of 3,000 in the Regular Army were voting right, and those who voted against that difference of 3,000 men voted wrong?

Mr. ORTH. Which I believe was not correctly stated in the chart now, as I have already stated.

Mr. HARRISON. How many men were in the Regular Army before the Spanish-American War?

Mr. ORTH. I do not remember.

Mr. HARRISON. As the expert and chairman of the congressional committee of the National Security League you do not know?

Mr. ORTH. I want to say, sir, that I do not pose as an expert.

Mr. HARRISON. I want to be convinced of that fact. How many do you suppose there were in the Regular Army before the Spanish-American war broke out?

Mr. ORTH. I believe between 40,000 and 50,000.

Mr. HARRISON. You would be very much surprised if I were to tell you it was just 25,000?

Mr. ORTH. I am surprised.

Mr. HARRISON. That is the fact; 25,000. How much was the Regular Army increased after the Spanish-American War?

Mr. ORTH. I believe it was increased from the figure you have just told me, 25,000, to some 60,000.

Mr. HARRISON. Is that your belief?

Mr. ORTH. That is my best belief, sir.

Mr. HARRISON. You are wrong on that.

Mr. ORTH. I may be, I will admit.

Mr. HARRISON. Where did you get that information from?

Mr. ORTH. I have told you I had no information.

Mr. HARRISON. No; you are giving me your opinion. Had you read anything on that proposition?

Mr. ORTH. No, sir; I am simply giving my impression.

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Mr. HARRISON. When do you say they increased it from 25 before the Spanish-American War to 60,000 after the Spanish-A ican War?

Mr. ORTH. I believe it was done gradually, increased grad by various enactments.

Mr. HARRISON. Would you be very much surprised if I tol immediately after the Spanish-American War the Regular Arm increased to 100,000 men in peace times?

Mr. ORTH. Yes, sir.

Mr. HARRISON. You were very much surprised. That is a that was increased from 25,000 before the Spanish-American V 100,000 after the Spanish-American War, I believe, in 1900. after 1900, following the Spanish-American War, do you whether Congress ever increased the Regular Army until thi Army bill was reported by the Military Affairs Committee in

Mr. ORTH. I believe not; but I am not sure.

Mr. HARRISON. You do not know for sure?

Mr. ORTH. I do not know for sure.

Mr. HARRISON. Have you ever investigated to see whether correct?

Mr. ORTH. No, sir; I have not.

Mr. HARRISON. Then the Hay Army bill, according to you ment, I believe you said 140,000, it proposed, and I state it is 1 to which it proposed to raise the Regular Army in 1916. Th a very good increase, wasn't it, from 100,000 to 175,000?

Mr. ORTH. Why it was for times of peace when there menace to the security of the country; yes, sir.

Mr. HARRISON. Don't you think Mr. Hay and his colleagu all of us who voted for the Hay Army bill, raising the F Army of the United States in peace times from 100,000 to 1 were going a pretty good step?

Mr. ORTH. In view of the world situation at that time, I sir.

Mr. HARRISON. You do not think so?

Mr. ORTH. No, sir.

Mr. HARRISON. You think we ought to have gone 3,000 mo voted for the Kahn amendment to raise it to 178,000?

Mr. ORTH. No, sir; I think you should have gone half a more.

Mr. HARRISON. We think we should have gone half a millio A moment ago, in answer to Mr. Reavis, on the question scription, you said the volunteering was lagging at that tim they were not volunteering. Do you know whether it was l in 1916, 1905 and 1910, and as far back as 1900?

Mr. ORTH. No, sir; I do not know that.

Mr. HARRISON. You have not investigated that?

Mr. ORTH. I have not.

Mr. HARRISON. What is your opinion; if it was lagging i and we had been unable, although under the law we had a r raise a regular Army in peace times to a quota of 100,000 m it had not been getting its quota by offering various inducem the men to come in the Regular Army— wasn't it really imn *how much* you increased it if you could not fill the quota *authorized* under the law?

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Mr. ORTH. It was immaterial as long as you left it on the volun- basis; yes, sir.

Mr. HARRISON. In other words, if the Hay Army bill in 1916 which posed to raise the Regular Army in peace times to 175,000, and Kahn amendment proposed to raise the Regular Army to 178,000 peace times, and you could not get the people to volunteer to join Regular Army to a number, say, over 150,000, it was really im- terial how much you raised it beyond the 175,000, wasn't it?

Mr. ORTH. It was immaterial what you did with respect to the lunteer Army if the men would not volunteer.

Mr. HARRISON. It was immaterial. That would not be an im- rtant question, then, as to an army that you could not fill up to its ll quota before the law was determined to be amended?

Mr. ORTH. That would be my best judgment, sir.

Mr. HARRISON. And yet, notwithstanding that statement, you put iestion No. 2 as one of the most important preparedness and war easures, didn't you?

Mr. ORTH. Yes, sir; believing that it was the duty of Congress to rovide adequate preparedness for the United States in view of the orld situation.

Mr. HARRISON. I understood you to say, Mr. Orth, that if under ne law you had a right to raise the Regular Army to 175,000 and ou had not been able to fill it up, say, over 150,000, that it was mmaterial whether you went over 150,000 in raising an army.

Mr. ORTH. I said provided as long as you adhered to the volunteer ystem entirely.

Mr. HARRISON. Now, Mr. Orth, in 1916, on March 23, when we proposed to increase the Regular Army to 175,000, you say in your hart that those who voted against the Kahn amendment to the Hay ill, providing for 178,000, voted wrong?

Mr. ORTH. You are still adhering to the 178,000, sir, which I have already stated is a mistake.

Mr. HARRISON. What is that?

Mr. ORTH. You are still adhering to the 178,000, sir, which I have already stated is a mistake, under the circumstances which existed at that time.

Mr. HARRISON. Don't you think it was a mistake, now? Now, come across, Mr. Orth; don't you really think it is a mistake, now, in view of what has transpired, to put question No. 2 in this chart as one of the eight important preparedness and war measures?

Mr. ORTH. I think it is an unfortunate fact that that error in the description of the Kahn amendment should have occurred. But I do not believe it was a mistake to put in the chart any yea-and-nay vote of the House of Representatives regarding the question of giving to the country adequate and full military preparedness.

Mr. HARRISON. Let us leave it at 178,000. That mistake in your opinion, that you admit—don't you think, in view of the fact that before the Hay Army bill was reported, which proposed to increase the Regular Army to 175,000 men, the Army officials had been unable to fill up the Regular Army to its full quota according to law to what they had a right to do, that it was immaterial whether you made the Regular Army in peace times 175.000 or 178,000?

Mr. ORTH. As long as Congress persisted in sticking to the volun- teer system.

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Mr. HARRISON. But at that time we did not have any conscription in 1916.

Mr. ORTH. No.

Mr. HARRISON. You have to base your answer on the proposition of the volunteer system, because it mattered not whether you voted for the Hay Army bill, that proposed to raise it to 175,000 men, or the Kahn amendment, which proposed, under your chart, to raise it to 178,000; they had to come in under the volunteer system, didn't they?

Mr. ORTH. They had to come in under the volunteer system, but——

Mr. HARRISON. So the question of conscription has nothing to do with the question in 1916, has it?

Mr. ORTH. I have not finished my answer.

Mr. HARRISON. Well, the question of conscription did not enter into the matter in 1916, did it?

Mr. ORTH. The question of conscription did not enter into the matter in 1916, because Congress did not take up the question of conscription.

Mr. HARRISON. Absolutely. In other words, to raise the Regular Army, either under the Kahn plan or under the Hay plan, the men have to volunteer; that is true, is it not?

Mr. ORTH. That is true.

Mr. HARRISON. And if the Government had been unable to equip an army under the law, even to the amount of 100,000, it would be immaterial whether you had increased the Army in peace times to 175,000 or 178,000, would it not?

Mr. ORTH. That is true, sir, so long as the Government did not plan to provide the necessary equipment, and so on, for the larger Army and provide conscription.

Mr. HARRISON. I understand. Now, in view of that fact, don't you think that you have wrongly placed question No. 2 in this chart as one of the important war measures?

Mr. ORTH. Basing the answer solely on the presentment of the matter which you have made, yes, but I still——

Mr. HARRISON. I have not presented it wrongly, have I?

Mr. ORTH. No; I say on the matter as you have presented it, and I do not mean to question the way in which you have presented it; but I still insist that the vote indicated an absence of desire on the part of Congress at that time to resort to the maximum degree of preparedness which was necessary and advisable, considering the condition of the world at the time.

Mr. HARRISON. How would it necessarily lead to preparing this country for war, an amendment offering to raise the Regular Army to, say, 178,000, or the other one offering to raise the Regular Army to 175,000, when the Government had been unable to raise, say, 100,000 men under that plan before? How could it be material?

Mr. ORTH. Might I ask in passing, how you continue to raise them to the number of 178,000, notwithstanding that fact?

Mr. HARRISON. According to the chart, I am taking the other proposition on that.

Mr. ORTH. Notwithstanding the fact that it was wrong, and that 220,000 was the actual number.

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Mr. HARRISON. Yet assuming that 220,000 was the correct figure, your chart is wrong on the proposition?

Mr. ORTH. Yes.

Mr. HARRISON. But I will repeat my question. How could it be an important preparedness measure, if, under the present law, we had the right to raise the Regular Army to 100,000 men, and we had only been able to get, say, 90,000, and had offered inducements to people to come into the Regular Army, based on the voluntary system, and how could it affect the question whether you voted for an amendment or a bill to increase the Regular Army to 175,000 or 220,000 men?

Mr. ORTH. Because the vote in Congress at the time, I believe, was contrary to the wishes of the people of the country and to the wishes of the Commander in Chief of the Army.

Mr. HARRISON. Do you know, Mr. Orth, whether or not the War Department ever suggested to raise the Army over 170,000 men in 1916?

Mr. ORTH. No; I do not know that.

Mr. HARRISON. You do not know, then, whether Mr. Hay was following the suggestion of the War Department or whether Mr. Kahn was, do you?

Mr. ORTH. I do not know that they were following anybody's suggestion with regard to the details, but I do know that the people of the country were very largely in favor of a distinct increase in the Army of the country, and at present——

Mr. HARRISON. Mr. Orth, you say the people of the country, and I have sat here and listened to you testify, and you said you formed that opinion from reading newspapers and staying in the city of New York and reading some magazines, and so on. You did not travel in the districts, did you?

Mr. ORTH. In thought; yes, sir.

Mr. HARRISON. I am not asking about in thought.

Mr. ORTH. No; I did not travel physically.

Mr. Harrison. You had not come in contact with the people in these various districts?

Mr. ORTH. No, sir; I had not.

Mr. HARRISON. Yet you are able to tell this committee that the people of this country were in favor of something which you are not in a position to know whether they were or not, are you?

Mr. ORTH. I am able to tell this committee that there was published in the Literary Digest of March 11, 1916, a statement to this effect. This is headed: "Nation-wide Press-Poll on Size of the Army and Navy," and it says, among other things:

In order to explore and map out this jungle of conflicting opinion and find what paths best penetrate it to the clear country beyond, the Literary Digest made inquiry of 500 editors in every State of the Union on three points: First, how large an Army we should have; secondly, how large a Navy; and finally, whether there is reason to fear the peril of militarism in increasing both branches of our defense. The replies are here impartially recorded, and, so that they may be the more intelligibly considered, are cast into the five geographical sections of the Atlantic seaboard, the Gulf region, the east Mississippi valley, the west Mississippi valley, and the Rocky Mountain and Pacific Coast States. The vote as a whole across the country shows the average estimate for the Regular Army to be 285,078 and for the reserve 1,215,359. As to the Navy 40 per cent of our replies on this point favor a navy second only to Great Britain's, *while 60 per cent favor* a navy as large as any in the world.

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The CHAIRMAN. May I ask you right there if during the civil war President Lincoln did not express the regret that all the great generals were editing newspapers instead of being in the Army.

Mr. ORTH. I believe I have heard something to that effect, sir.

The CHAIRMAN. It is something similar to this case you bring up.

Mr. ORTH. I would like to state to the committee that this article goes on to give an analysis of the replies received, by States, as well as sections, and I believe that a perusal of it will indicate that practically every State was strongly in favor of a large increase in the Army and Navy at a time prior to March 11, 1916, whereas No. 2 in the chart was dated March 23, 1916.

Mr. HARRISON. When did you get this Literary Digest you just read from?

Mr. ORTH. I got that particular copy about three weeks ago.

Mr. HARRISON. Why did you get it?

Mr. ORTH. Where did I get it?

Mr. HARRISON. Why did you get it?

Mr. ORTH. In order to read its contents here.

Mr. HARRISON. Who told you about it?

Mr. ORTH. No one, sir. I had read the article in the Literary Digest at the time it appeared in the Digest.

Mr. HARRISON. So that is what you base your opinion on as to how the country felt on this proposition?

Mr. ORTH. It is part of what I base it on, sir.

Mr. HARRISON. May I ask you now again, is it not a fact that the War Department, through the Adjutant General, Gen. McCain, who was the best posted man in the Army on that propositon, as to the size of the Army and as to the enlistments, and naturally so, because he was in the place that had jurisdiction over enlistments—is it not a fact that he recommended to the Committee on Military Affairs only the number of men as proposed in the Hay Army bill?

Mr. ORTH. I have no doubt of that, sir. I do not know that of my own knowledge.

Mr. HARRISON. You accept it?

Mr. ORTH. I surely do.

Mr. HARRISON. Then, do you not think that the Military Affairs Committee of the House should have accepted the War Department's estimate as to what the size of the Army should be, than to accept the suggestion of the National Security League, or of the Literary Digest, or of some editors over the country?

Mr. ORTH. I think that the Congress of the United States should not have accepted either of those, or any of them.

Mr. HARRISON. You do not think they ought to accept the War Department's recommendations?

Mr. ORTH. I was going to finish my response, but that they should have taken the recommendation of the War Department as a basis, or as a part of the basis, for their consideration of the whole subject, and should have visaged the possibilities of the future as respecting the United States.

Mr. HARRISON. And yet when they take the recommendation of the War Department, and of a man like Gen. McCain, and increase the Army to the extent that he suggests, and make an appropriation for the Army to that extent, then you think that your committee would

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be justified in issuing a chart to the country and saying that those men who had voted for it had voted wrong?

Mr. ORTH. On that premise alone; no. But, as I have previously stated, there were other considerations.

Mr. HARRISON. But those are the facts that I stated, are they not, that Gen. McCain and the War Department go before the Military Affairs Committee of the House and suggest that the Army be increased according to the provisions of the Hay Army bill; they report the bill to the House; many of us vote for it; and yet we are to be styled by the National Security League, and in your opinion, as having voted wrong? Is not that true?

Mr. ORTH. I believe that the opinions of Gen. McCain should have formed a part of the consideration of Congress, but that Congress, in voting on the measure solely according to Gen. McCain's recommendations——

Mr. HARRISON. Gen. McCain and other officials of the War Department?

Mr. ORTH. Or officials of the War Department, in voting solely on that recommendation, ignored a part of the considerations which should have governed their action.

Mr. HARRISON. Do you believe that 10 per cent of these papers which you say had reported to the Literary Digest knew just how many men were in the standing Army at that time?

Mr. ORTH. I believe that the average editor of a newspaper did.

Mr. HARRISON. You did not know, did you, Mr. Orth, and yet you were selected as chairman of the congressional committee of the National Security League?

Mr. ORTH. No; but you are questioning me about editors of newspapers.

Mr. HARRISON. I understand, but don't you think it is the duty of a man, who poses at least as the expert selected by the National Security League to educate the people on war measures and measures proposed to win the war, and distribute literature like that throughout the country, giving the votes of Congressmen on the eight preparedness measures, certainly ought to have that information?

Mr. ORTH. I think it is the duty of such a man to try and be fair and correct in the essence of his statements and presentations, and that I, as that man, made every reasonable effort to be so fair and correct.

Mr. HARRISON. You do not think now, in view of the fact that Gen. McCain and other officials of the War Department recommended in 1916 to the Military Affairs Committee of the House that the standing Army be increased according to the provision of the Hay Army bill, that those men who supported it in the committee, and those Congressmen who voted for it in the House should be called disloyal, do you?

Mr. ORTH. I do not think so. I do not think we have called them disloyal.

Mr. HARRISON. I am asking you—whether you have or not—you do not think they ought to be styled disloyal, do you?

Mr. ORTH. A man who has voted——

Mr. HARRISON. Are you answering the question?

Mr. ORTH. No; not on that one measure; no.

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Mr. HARRISON. They are not disloyal and can not be construed as disloyal?

Mr. ORTH. No; I should say not, certainly.

Mr. HARRISON. And any designation that they voted wrong is probably incorrect, don't you think so?

Mr. ORTH. I am sorry, sir, I can not change my answer otherwise.

Mr. HARRISON. You can not change our answer?

Mr. ORTH. No, sir; I can not.

Mr. HARRISON. You have said so, and you are going to stick to it!

Mr. ORTH. I wish to state in the records that I have stated my honest belief and opinion, and must stick to that.

Mr. HARRISON. Are you making your answers in view of the light that is being shed on that proposition, information coming to you which you say you did not know before, or are you just sticking to your answers simply because you made up this chart and you want to defend it?

Mr. ORTH. Certainly not. I have made many admissions here, and I would like to call your attention to the fact that they are quite at variance to what you have just stated.

Mr. HARRISON. I hope to get some admissions out of you presently. Can you recall a single instance where the War Department prior to March 23, 1916, or April 18, 1916, when the Brandegee amendment was voted on, ever estimated to the Military Affairs Committee of either the House or Senate for an Army over 175,000 men?

Mr. ORTH. No, sir; I can not.

Mr. HARRISON. Can you recall where the Military Affairs Committee of the House ever failed to appropriate every cent that the War Department estimated to increase the standing Army and to provide for the standing Army?

Mr. ORTH. No, sir; I can not; but I believe the duty of the House went further than that mere statement.

Mr. HARRISON. Well, you do not know of any instance where the Military Affairs Committee of the House ever failed to appropriate money up to the limit of the estimate proposed by the War Department, do you?

Mr. ORTH. No, sir; I do not; but I believe the duty of the House went further than that, sir.

Mr. HARRISON. You think what?

Mr. ORTH. The duty of the House went further than that.

Mr. HARRISON. You think it was the duty of the House to go further than that?

Mr. ORTH. I think it was, sir.

Mr. HARRISON. You do not agree with Mr. Menken that the House ought to accept the expert advice of those people?

Mr. ORTH. I agree with Mr. Menken that the House ought to accept the expert advice of those people, plus all the other advice and judgment they can command.

Mr. HARRISON. In other words, they ought to consult the National Security League and some newspapers throughout the country?

Mr. ORTH. Not for a moment, sir.

Mr. HARRISON. You have got some men in the National Security League who are interested in newspapers, have you not?

Mr. ORTH. I do not know.

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Mr. HARRISON. Who is the editor of the Tribune—the New York Tribune?

Mr. ORTH. I think Mr. Garrett.

Mr. HARRISON. Is he a member of the National Security League?

Mr. ORTH. I do not know. May I ask so as to answer that question as fully as possible? Is Mr. West here? Is Mr. Garrett a member of the league, do you know, Harvey?

Mr. HARRISON. Is there any man who is the owner or part owner of the New York Tribune, or any New York paper, who is a member of the National Security League?

Mr. ORTH. I can not answer that, Congressman, but if you wish me to ask some of the other officers of the league who know it, I will be very glad to give you a reply, as I have no desire to obscure the facts.

Mr. HARRISON. Is Mr. Reed connected with the Tribune in any way?

Mr. ORTH. Mr. Reed, I believe, is the owner of the Tribune.

Mr. HARRISON. Is he a member of the National Security League?

Mr. ORTH. I do not know. Is he Mr. Harvey?

Mr. HARVEY. I do not know.

Mr. HARRISON. Is he a contributor to the National Security League?

Mr. ORTH. I do not know that, sir. Those are matters which do not come under my cognizance, except by the merest chance.

Mr. HARRISON. Let us get down to section 56, that is section No. 4. The questions we have been asking you touching section 2 apply to section 3—the Brandegee amendment?

Mr. ORTH. Yes.

Mr. HARRISON. What did section 56 provide, of the act of April 18, 1916? I am asking you now and I want to see if you remember from memory. Do you know what it is?

Mr. ORTH. No, sir; very frankly, I do not remember from memory.

Mr. HARRISON. And yet you incorporate No. 4, which deals with section 56, as one of the most important preparedness and war measures?

Mr. ORTH. I have already explained the circumstances and reasons why it was so prepared.

Mr. HARRISON. You are the man who prepared it, you say, in consultation with these other fellows?

Mr. ORTH. I am, sir.

Mr. HARRISON. And yet you can not tell me now what section 56 embodied?

Mr. ORTH. My best recollection is that it embodied something to the effect that there should be a voluntary army, based upon a certain number of men from every congressional district.

Mr. HARRISON. Do you know how many?

Mr. ORTH. My recollection is 600.

Mr. HARRISON. Were they to be drafted, or were they to volunteer?

Mr. ORTH. I believe they were to volunteer.

Mr. HARRISON. Were they to train any certain number of days each year, or anything like that?

Mr. ORTH. I believe they were, sir.

Mr. HARRISON. You are not sure about that?

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Mr. ORTH. No.

Mr. HARRISON. As a matter of fact, you are not familiar with section 56?

Mr. ORTH. I am not technically or legislatively familiar with section 56.

Mr. HARRISON. You do not know much about section 56?

Mr. ORTH. I know as much as the average American citizen.

Mr. HARRISON. Did section 56 have anything to do with the National Guard?

Mr. ORTH. I do not know.

Mr. HARRISON. You do no tknow whether it affected the National Guard at all?

Mr. ORTH. I do not know from memory at this moment.

Mr. HARRISON. Don't you think, if you are the man selected, and you get a pretty good salary for your work, do you not? What do you get for your work as chairman of this congressional committee of the National Security League?

Mr. ORTH. My chief reward so far has been the congressional inquiry.

Mr. HARRISON. They agreed to pay you some salary, did they not?

Mr. ORTH. They did not, sir.

Mr. HARRISON. You get no salary at all?

Mr. ORTH. None whatever.

Mr. HARRISON. There is no understanding about that?

Mr. ORTH. No understanding, directly, indirectly, express, or implied.

Mr. HARRISON. You do not expect any salary?

Mr. ORTH. I certainly do not, and allow me to take this opportunity to state that I contributed to the expense of my own committee out of my own pocket.

Mr. HARRISON. But you do not know whether section 56 affects in the slightest degree the National Guard?

Mr. ORTH. I have already answered that question.

Mr. HARRISON. Don't you think it was your duty to know what it embodied before you placed it in your chart as one of the eight most important questions dealing with preparedness in war?

Mr. ORTH. It was my duty to try to satisfy myself in a reasonable way that it was what it purports to be in the chart.

Mr. HARRISON. You did not do that, did you?

Mr. ORTH. Yes; I did.

Mr. HARRISON. Will you tell me now what section 56 embodies?

Mr. ORTH. But I went and I received these measures from others who——

Mr. HARRISON. You went to Mr. West?

Mr. ORTH. I went to the National Security League.

Mr. HARRISON. To whom, Mr. Orth?

Mr. ORTH. Men in the National Security League who had made a study of this matter at the time.

Mr. HARRISON. Who in the National Security League had made a study of this matter?

Mr. ORTH. I do not know; I was not there.

Mr. HARRISON. Whom did you consult with reference to section 56?

Mr. ORTH. I have already stated that I did not consult, in the *sense* which you apparently mean it, but the votes on measures 2, 3,

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4, 5, and 6 and the description of those measures were copied from the pamphlet of July 1, 1916.

Mr. HARRISON. And yet, Mr. Orth, you have prepared a chart and say that this chart embodies eight of the important preparedness war measures, including with those eight section 56, and you say those who voted against it voted wrong, and those who voted for it voted right, and you ask the voter, "What are you going to do about it," and yet you now state that you do not know what section 56 is about, or very much about it; is not that the fact?

Mr. ORTH. It is a fact, but in addition to that I wish to state that the people of the country felt that those measures were important measures and that any preparation which was required to be made by Congress for an important conflict which a great many people then thought was pending necessarily required a great deal of time for its effectuation or results to be available, and that the absence of such preparedness at that time was due to conditions and facts and circumstances such as are outlined in the Washington Post of this morning——

Mr. HARRISON. I do not care to have you read that.

Mr. ORTH. I will ask permission to read it into the record.

Mr. HARRISON. I shall object to having it read in the record because it is not in answer to my question. In other words, I judge from your answer, as far as you have made it, that the people of the country knew more about section 56 than you did?

Mr. ORTH. No, sir. I made the answer before.

Mr. HARRISON. Did not I understand you, in answer to some questions that have been propounded by my colleagues, to say that you selected these eight questions because the preponderant public opinion of the United States was in favor of them?

Mr. ORTH. No, sir.

Mr. HARRISON. Was not that your answer?

Mr. ORTH. No; my answer was—that these eight questions, you say?

Mr. HARRISON. Yes.

Mr. ORTH. Yes.

Mr. HARRISON. And that is why you said that the men who voted against them voted wrong?

Mr. ORTH. Yes.

Mr. HARRISON. Then I would assume that you would think that the preponderant public opinion of the country knew what section 56 was?

Mr. ORTH. No, sir; I believe——

Mr. HARRISON. They had to know in order to form a judgment that those who voted against it had voted wrong, did they not?

Mr. ORTH. Not necessarily. The preponderant public opinion of the country on the question of preparedness should have been given the country at the time these votes were taken.

Mr. HARRISON. But if you did not know what section 56 was, you did not know whether it was a preparedness measure or not?

Mr. ORTH. I know enough about it to know that.

Mr. HARRISON. You knew enough about it, did you, to give the impression that it was a preparedness measure?

Mr. ORTH. I know it was a measure providing for a larger number of men than had previously been provided for.

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Mr. HARRISON. How many more?

Mr. ORTH. I believe it would have required a total of something like 280-odd thousand men.

Mr. HARRISON. They were to volunteer, you say?

Mr. ORTH. I do not recall that, sir.

Mr. HARRISON. Is it not a fact—just refreshing your memory now; you have got absolutely so little knowledge on the question that I want to refresh your mind; not that I am an expert, but I want to give an expert a little information—that section 56 was offered in lieu of the plan to Federalize the National Guard of the United States?

Mr. ORTH. I believe it was, sir.

Mr. HARRISON. You have got that information now. Are you right sure about that?

Mr. ORTH. I am reasonably sure about that, sir.

Mr. HARRISON. If I am mistaken in that statement, you are not sure about it, are you?

Mr. ORTH. I will still answer that I am reasonably sure about it.

Mr. HARRISON. You are reasonably sure about it?

Mr. ORTH. Yes.

Mr. HARRISON. You say this section 56, in your opinion, would allow between 200,000 and 300,000 men to volunteer into this Federal reserve; is that right?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Well, now, did not the National Guard act, that this was offered in lieu of, propose to bring into the Federal Army the National Guard to the amount of 425,000 men?

Mr. ORTH. Are you referring to the Continental Army scheme?

Mr. HARRISON. I am asking this question embodied just in here: You have stated, since I have refreshed your memory, that it is your belief that section 56 would have provided for an army of about 200,000 or 300,000 men, to volunteer, apportioned among the various congressional districts of the United States, and I am asking you if the act that was proposed in lieu of, say, would not have Federalized the National Guard and allowed them to come into the Army of the United States to the amount of 425,000 men?

Mr. ORTH. I believe this was substituted in place of the Continental Army scheme.

Mr. HARRISON. You have got, no doubt, that the provision Federalizing the National Guard allowed them to be raised to the amount of 425,000 men, have you?

Mr. ORTH. Yes; but I did not understand that that measure was passed.

Mr. HARRISON. You understand the provision to say, though, that it would raise the Army and allow them to volunteer to the number of 425,000 men, do you not?

Mr. ORTH. What I mean to say is that there was a measure proposed which, however, was not passed, which would have provided for a Continental Army, which was to be known as the Continental Army, of 425,000 men?

Mr. HARRISON. I understood you to say that section 56 provided for volunteers, proportioned among the various congressional districts, to the number of between 200,000 and 300,000. Now you have raised it to 425,000?

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Mr. ORTH. No; I have not.

Mr. HARRISON. Which is it, 425,000 or 220,000?

Mr. ORTH. I did not mention 425,000 in connection with section 56.

Mr. HARRISON. You do not think that 425,000 has anything to do with section 56?

Mr. ORTH. I believe not. I believe as I have heretofore told you.

Mr. HARRISON. Let us get back to section 56, then. In federalizing the National Guard, I understood you to say that section 56, since I have refreshed your memory, would raise the army of volunteers, apportioned among the various congressional districts of the United States, to the number of between 200,000 and 300,000 men; is that right?

Mr. ORTH. Yes, sir.

Mr. HARRISON. That is right. Now, let us lay that aside. And you say, further, that it is your belief now that section 56 was offered in lieu of a provision federalizing the National Guard, that would permit the National Guard throughout the States to be raised to an army of 425,000 men, and to be brought into the Army of the United States; that is right, is it not?

Mr. ORTH. That section 56 was the measure which came before the House in lieu of a recommendation which had been made by the Secretary of War for a Continental Army, to be composed of 425,000 men.

Mr. HARRISON. I have not mentioned the Continental Army. I am talking about federalizing the National Guard.

Mr. ORTH. I have been talking about the Continental Army.

Mr. HARRISON. When were you talking about the Continental Army?

Mr. ORTH. I have been talking about it right along during our recent discussion.

Mr. HARRISON. Has the Continental Army anything to do with this section?

Mr. ORTH. I have told you what section 56 contained, according to my best knowledge, which I have tried to impress upon you is not expert knowledge, on which account I can not see why you are trying to examine me on a thing on which I have said I am not an expert.

Mr. HARRISON. But you saw fit to prepare a chart and prepared eight questions which you say are the most important eight questions on preparedness for war, and allowed these charts to be distributed throughout the United States, and took a nonpartisan interest in the various elections throughout the United States, and said that those who voted one way voted wrong, and those who voted the other way voted right, and you asked the voters, "What are you going to do about it?" Don't you think, in view of that, as a member of this committee I have a right to test your knowledge about these questions?

Mr. ORTH. I presume you have the right, as a member of the committee, to test my knowledge about anything, but that does not in any way alter the facts which I have put before you, and which I have tried to put before you in a full and frank manner, as indicating, first, the perfect honesty of these presentments, and, secondly, the fact that before *they were put* in the chart they were subjected to

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the scrutiny and the judgment of men who had considerably more knowledge about the subject than I had.

Mr. HARRISON. Who were they?

Mr. ORTH. That, sir, you would have to find out from the ones—

Mr. HARRISON. But you have made the statement. Don't you know who they were?

Mr. ORTH. I can only make the statement that it was told me by the executive secretary of the league, who would inform you who they were.

Mr. HARRISON. Col. Lydecker and Mr. Menken have referred us time and again to you, stating that we must ask you, who are the chairman of this congressional committee on the questions.

Mr. ORTH. What they have stated, sir, does not change the facts that I have just given you.

Mr. HARRISON. Let us get back to section 56. I like to talk to you about that because you are so familiar with it.

Mr. ORTH. That is very apparent.

Mr. HARRISON. Before we get back to that, let me ask you about these men who you state had more information than you had. Who are they? I want to get that?

Mr. ORTH. I have told you often, I think, that I was not connected with the league actively before June, 1918.

Mr. HARRISON. You said that they had more information than you have.

Mr. ORTH. I said that I had been told by the executive secretary of the league.

Mr. HARRISON. Did he not tell you who they were?

Mr. ORTH. He did not tell me who they were.

Mr. HARRISON. Did you not inquire who they were?

Mr. ORTH. No; I did not inquire who they were. Might not I say——

Mr. HARRISON. You did not know, without special inquiry, who they were?

Mr. ORTH. Might I not say that every day, in all the important affairs of life, including, no doubt, congressional affairs, that individuals and Members of Congress and practically every man accepts the statements of people whom he believes to be honest and sincere?

Mr. HARRISON. But you are not telling me who those people are.

Mr. ORTH. I can not tell you, but they are ascertainable.

Mr. HARRISON. You can not remember?

Mr. ORTH. I do not know.

Mr. HARRISON. Let us get back to section 56. Suppose here we have section 56, a provision in that law of April 18, 1916, every Congressman who voted against which you say voted wrong, providing an increase of the volunteer reserve army to something over 200,000 men; suppose at the same time that was being voted on, during the consideration of the same bill, another proposal was made that would federalize the National Guard and provide for raising the National Guard from its present war strength to 425,000 men, do you think it is fair to those men who voted to federalize the National Guard, providing for 425,000 men being added to the Army, to say *that* they voted wrong, and that those men who voted for section 56 *that only* allowed volunteers in the Reserve Army to the number of

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something over 200,000, voted right? How do you reconcile that proposition, in view of the fact that you say this preparedness chart——

Mr. ORTH. If the one measure was substituted for the other, any reconciliation would necessarily depend upon an investigation of the exact facts and circumstances that might have attended the vote at the time.

Mr. HARRISON. But if I have stated the fact, that section 56 was offered, say, in lieu of federalizing the National Guard, so that the National Guard might be raised to embody 425,000 men, when section 56 only provided for, say, an Army of between 200,000 and 300,000, if I voted to federalize the National Guard and voted against section 56, I really voted for more real preparedness than the fellow who voted for section 56, did I not?

Mr. ORTH. If they were all the circumstances, you might, sir.

Mr. HARRISON. You do not know whether those were the facts or not, do you?

Mr. ORTH. No, I do not.

Mr. HARRISON. Yet you proposed in your chart to tell the people throughout the country that when I voted against section 56 that I was voting wrong, and those who voted for it were voting right. That is true, is it not?

Mr. ORTH. I think it is true; yes, sir.

Mr. HARRISON. And you do not propose to say to the people of the country that those men who, when they voted against section 56, at the same time had voted for a Federal Army, or federalizing the National Guard which would increase it to 425,000 men, had voted right? You do not embody that in your chart at all, do you?

Mr. ORTH. It is not in the chart.

Mr. HARRISON. Don't you think it ought to have been embodied in the chart?

Mr. ORTH. If the circumstances are shown as you have stated them, I think it should have been embodied in the chart.

Mr. HARRISON. Then, you have made a mistake to that extent, if the facts are as I have stated?

Mr. ORTH. Yes; but providing the dates were contemporaneous.

Mr. HARRISON. Then, where the fellow had voted for the federalizing of the National Guard, that would have given us 425,000 men, say, and had voted against section 56, he, in your chart, according to those who voted for war preparedness, ought to have had no × mark opposite his name as voting wrong, but as having voted right, and those fellows who voted against section 56, against federalizing the National Guard, ought to have had an × mark, showing they had voted wrong, according to your opinion?

Mr. ORTH. If the circumstances are confined to what you have outlined, and the dates were the same, I should say that would be a fair suggestion.

Mr. HARRISON. You do not doubt it, do you?

Mr. ORTH. I do not doubt it. There may have been other circumstances which you have not stated.

Mr. HARRISON. We will leave that one, then. Let us get down to the motion to recommit the naval appropriation bill, June 2, 1918. This motion was designed to insert an increase in the Navy beyond

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what was provided in the original bill. That is included as one of your eight main preparedness and war measures. Do you know what was in that motion to recommit the naval appropriation bill?

Mr. ORTH. The motion to recommit the naval appropriation bill, as I remember it, contained some 44 amendments, all in the nature of increases or additions to the appropriations which were made in the bill.

Mr. HARRISON. I understood you to say you did not read the debate at the time in the Congressional Record, on the motion to recommit the naval appropriation bill?

Mr. ORTH. No; you understood me to say I had taken those records and had casually looked at them at the time.

Mr. HARRISON. I did not understand that was one of them, and that you had read the debates in Congress at the time?

Mr. ORTH. I said practically all the records for some three or four years back had been taken by me and had been read more or less industriously.

Mr. HARRISON. Do you know the difference between a vote against consideration and a vote for consideration of a bill?

Mr. ORTH. I think so, sir.

Mr. HARRISON. What is the difference?

Mr. ORTH. Is it quite fair to examine me on these technical, legislative details?

Mr. HARRISON. I think so, Mr. Orth, because you have assumed to give knowledge to the whole country here criticising by this chart the Members of Congress, and asking the people, "What are you going to do about it," and saying that certain Members voted wrong and certain other Members voted right. I want to test your knowledge of parliamentary law and find out whether or not you really know what a motion to table is, and what a vote against consideration is, and all those things?

Mr. ORTH. I know a fair amount about it, sir, probably more than the average American citizen.

Mr. HARRISON. Do you think that a motion to table is considered by a committee of the House?

Mr. ORTH. Do you mean by one of the committees?

Mr. HARRISON. One of the standing committees or special committees of the House?

Mr. ORTH. No, I do not; no, sir.

Mr. HARRISON. Do you think that this motion to table the naval appropriation bill was considered by the naval appropriation committee?

Mr. ORTH. The motion to table?

Mr. HARRISON. As offered by Mr. Browning.

Mr. ORTH. The motion to recommit, you mean?

Mr. HARRISON. Yes; the motion to recommit.

Mr. ORTH. What was the question in connection with it?

Mr. HARRISON. Do you think the Naval Affairs Committee of the House ever had an opportunity to consider, or did consider, the motion to recommit the naval appropriation bill, as offered by Mr. Browning?

Mr. ORTH. No; I believe they did not.

Mr. HARRISON. You do not think so?

Mr. ORTH. No, sir.

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Mr. HARRISON. Do you think that motion to recommit was debatable?

Mr. ORTH. No; it was not.

Mr. HARRISON. How long before the vote was taken, in your opinion, was the motion to recommit offered on the floor of the House?

Mr. ORTH. Before the vote on the bill itself?

Mr. HARRISON. Before the vote on the motion to recommit was taken. How long before the vote on the motion to recommit the naval appropriations bill, as offered by Mr. Browning, was it offered on the floor of the House?

Mr. ORTH. The motion to recommit was offered and immediately the vote on the motion to recommit was taken. Is that the question?

Mr. HARRISON. That is the question. Then it is your idea that no consideration is given, or practically no consideration, and no debate, to a motion to recommit a bill?

Mr. ORTH. Yes, sir; that is a fact.

Mr. HARRISON. And that it is not considered on the floor of the House?

Mr. ORTH. Yes, sir.

Mr. HARRISON. That it is just the outgrowth of some man's mind who offers it on the floor of the House at that time, and you must vote on it immediately. That is your idea about it, is it not?

Mr. ORTH. Yes; but it is more than that implies. The mere fact that the 44 amendments contained a lot of details in regard to what they proposed to do indicated a great deal of consideration of those things on the part of somebody.

Mr. HARRISON. By whom?

Mr. ORTH. On the part of Mr. Browning and his associates.

Mr. HARRISON. Why do you say his associates?

Mr. ORTH. Because I do not believe that it is customary for any one member of the House to figure out for himself, if I may use the expression, 44 amendments to any bill, without consultation, advice, and assistance.

Mr. HARRISON. That is frequently the case, Mr. Orth.

Mr. ORTH. I did not know that, sir.

Mr. HARRISON. That is frequently the case. Do you know whether Mr. Browning had ever offered any motion in the naval appropriations committee at all that embodied more details than were incorporated in his motion to recommit the naval appropriation bill?

Mr. ORTH. I think that that had been previously submitted.

Mr. HARRISON. Why do you think that?

Mr. ORTH. Because I have a vague recollection of having seen that motion in the record at that time.

Mr. HARRISON. There was no debate on the motion to recommit the naval appropriation bill?

Mr. ORTH. I mean the amendments had been referred to in the debate.

Mr. HARRISON. Do you think that any member of the House attending the vote on the motion to recommit the naval appropriation bill which was offered by Mr. Browning, at the time the vote was taken on it, which was practically immediately, would have had the time to have given any consideration to the details of that motion to recommit?

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Mr. ORTH. No, sir; but I submit that the fundamental question to increase the naval preparedness was more immediate than the details of the amendments.

Mr. HARRISON. You have heard the other gentlemen testify here. How much did the naval appropriation bill carry, without refreshing your memory from anything?

Mr. ORTH. I can not answer those questions without refreshing my memory.

Mr. HARRISON. I will let you refresh your memory, then. You did not know until you heard it here in the hearings, did you?

Mr. ORTH. I did know it in the sense that I had heard it before, and it had passed into my memory.

Mr. HARRISON. How much is it?

Mr. ORTH. The naval appropriation bill of 1916 carried $313,000,000.

Mr. HARRISON. How much did the Browning motion to recommit carry—what increase?

Mr. ORTH. I do not recall positively the amount specified in the various amendments.

Mr. HARRISON. It was about $90,000,000 increase; is that right?

Mr. ORTH. You know that, and I will accept it.

Mr. HARRISON. How much did the naval appropriation bill, as then being considered by the House, carry over the naval appropriation bill for the preceding year?

Mr. ORTH. $160,000,000.

Mr. HARRISON. $160,000,000 increase; is that your figure?

Mr. ORTH. Those are my figures.

Mr. HARRISON. Do you not think that those fellows who voted for the naval appropriation bill carrying that much increase did pretty well?

Mr. ORTH. I think Congressman——

Mr. HARRISON. You are bound to say that you think they did pretty well toward preparedness, are you not, Mr. Orth?

Mr. ORTH. I think they did, considering the bill of the year before, but I think that in view of the fact that any naval preparedness takes years—and when I say years I mean from one year to three years, or more—to be productive of any actual preparedness, and considering the then circumstances of the world, that it was not enough.

Mr. HARRISON. Let me ask you this. Suppose that the bill, as reported by the Naval Affairs Committee, had carried on amount as embraced in the Browning amendment; in other words, $90,000,000 more than the bill did carry, and there had been a motion to recommit, offering to increase it $300,000,000 more, would you then have placed that motion to recommit in your chart and said that those men who had voted against the motion to recommit had voted wrong, and those who had voted for it had voted right?

Mr. ORTH. I think I would have had to do the same thing.

Mr. HARRISON. You would have done that?

Mr. ORTH. Yes, sir.

Mr. HARRISON. And if it had gone to a billion-dollar increase, the *same* standard would have applied?

Mr. ORTH. No; everything within reason, sir.

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Mr. HARRISON. What would you say? You have said $300,000,000 was reasonable. What more than that would have been unreasonable?

Mr. ORTH. I said that because there was an act of Congress, according to my best recollection, appropriating an additional sum when we had gotten into the emergency, which should have been provided for in this.

Mr. HARRISON. Suppose the naval appropriation bill, instead of carrying an appropriation, say, of $400,000,000, which was considered, and that Mr. Browning, instead of filing a motion to recommit it, providing for an increase of $90,000,000, had made it $600,000,000 increase, would you then have quoted in your chart as one of the eight principal questions that motion to recommit, and say that those who had voted against it voted wrong, and those who had voted for it voted right, notwithstanding the fact those who you say voted wrong had voted for the passage of the bill?

Mr. ORTH. That is a hypothetical question which it is most difficult to answer. The best answer I can make is that if the amount of the increase had been equal to what seemed to be a fair and reasonable sum, considering the requirements of the country, and the addition was not favorably voted upon by the House, it should have been put in the chart.

Mr. HARRISON. Do you know any of the details of the motion to recommit, except the amount provided for?

Mr. ORTH. What nature of details do you mean, sir?

Mr. HARRISON. Any of the other details, what those appropriations were made for?

Mr. ORTH. I have known of them, but I can not repeat them from memory; no.

Mr. HARRISON. Do you know how long it takes to build a battleship, ordinarily?

Mr. ORTH. Yes; not less than about three years and a half.

Mr. HARRISON. Does that provide for two shifts or three shifts?

Mr. ORTH. That is per ship. I mean, in other words, that the battleships which you provided for in 1916 will probably not be produced until this year.

Mr. HARRISON. About three years and a half, you say?

Mr. ORTH. According to the Congressional Record.

Mr. HARRISON. Does that provide, though, to get it through in three years and a half, for three shifts, or two shifts? Do you understand what I mean?

Mr. ORTH. Of workmen on the building?

Mr. HARRISON. Yes.

Mr. ORTH. I do not know, sir.

Mr. HARRISON. You do not know about that?

Mr. ORTH. No.

Mr. HARRISON. That is a thing you have got to consider, is it not?

Mr. ORTH. That is a thing for the constructors to consider.

Mr. HARRISON. Suppose here is a battleship that we provide for building, to cost, say, $20,000,000, and we appropriate $20,000,000 for it, without any limitation as to the time in which it is to be built, except providing it shall be finished within a reasonable time, and we in another provision of the bill say that we appropriate

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$20,000,000 for a battleship, but it must be completed within, say, 24 months. Which one of those battleships do you think would cost more money?

Mr. ORTH. The one built in 24 months.

Mr. HARRISON. Why?

Mr. ORTH. On account of the necessary night work, and so on, on it.

Mr. HARRISON. In other words, in the first ship you would not have to have three shifts, probably, and on the second you would probably have to work all the time, day and night, is that true?

Mr. ORTH. I should think so.

Mr. HARRISON. Do you know that in this motion to recommit providing for the increased number of battleships, that Mr. Browning said, in appropriating the money, that they were to be of the same kind as the two other ships that were being constructed, and to cost the same as the other two, but provided that they should be built within 24 months after the contract was signed? Don't you think that was an unreasonable provision?

Mr. ORTH. I could only give you my individual opinion about that, which is not worth anything. I should say that whether it was reasonable or unreasonable would depend entirely upon the circumstances and the requirements of the country.

Mr. HARRISON. I understood you to say a moment ago that when you contract for one battleship and give them a reasonable time in which to build it, and contract for another one that was to be built within two years, and you say ordinarily it takes three years and a half to build one, that it would cost much more money to build the latter than the former, is not that true?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Then do you not know it would be almost impossible to build a battleship of the same type as another battleship in two-thirds of the time that it would take to build the other battleship, for the same amount of money?

Mr. ORTH. It would be very much more costly to do it.

Mr. HARRISON. And yet you think that those who voted against a motion to recommit that had a provision in it to build battleships and battle cruisers for a certain limit of cost for about the same that the Government was then building all other types and put the time limit so small that it would have been impossible to have done the work, or it would have cost a great deal more money—that we who voted against such a provision as that should be classed as having voted wrong?

Mr. ORTH. I believe no speed would have been too great for building battleships at that time at whatever cost.

Mr. HARRISON. Don't you think, Mr. Orth, if Mr. Browning had included in his motion to recommit a provision that said this ship must be built within two years, when it took them ordinarily to build it three and a half years, that certainly more money should have been provided as a limit of cost for the battleships and for the battle cruisers?

Mr. ORTH. Surely.

Mr. HARRISON. And when it did not provide for more money and we who wanted to give consideration to those things voted against it because of certain reasons like that, do you think it fair to class *our vote* as wrong?

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Mr. ORTH. No; but——

Mr. HARRISON. But you have done that, have you not?

Mr. ORTH. But that does not typify the 44 amendments which were in the bill.

Mr. HARRISON. But it does typify some of the amendments, and those which carried the biggest amounts, and the important features—battleships and cruisers?

Mr. ORTH. Might I ask, supposing the Browning amendment had been adopted, would it not have been possible to have provided for the deficiency in some manner according to the regular process of Congress?

Mr. HARRISON. Probably we could have done that afterwards, but do you think that Congress ought to take two or three bites at an apple instead of giving it fair consideration and full deliberation at one time?

Mr. ORTH. I think, sir——

Mr. HARRISON. You know that is not the way Congressmen ought to act?

Mr. ORTH. I think Congress, which has the ways and means of taking care of that deficiency in such a necessity for preparedness, which was very urgent, might have considered the other point of view and done something.

Mr. HARRISON. Let me ask you again, in view of the fact that the Browning motion to recommit was carrying a $90 000,000 increase on a bill that increased the Navy, as you say, $160,000,000 over the previous year and contained certain provisions that were impossible to be worked out, namely, providing for the erection of battleships and battle cruisers for a certain limit of cost in such a short time that it would have been impossible to have done it, do you think that it was quite fair to style those men who voted against it as disloyal and as having voted wrong?

Mr. ORTH. I believe that, as respects a single vote on that question, that the answer to that might reasonably be yes, but with that restriction purely.

Mr. HARRISON. Let me call attention to what you probably heard already in the hearings. Do you know how much money was appropriated during Mr. Roosevelt's administration of four years—during the four years of Roosevelt's administration?

Mr. ORTH. I suppose you have that there now?

Mr. HARRISON. How much is it?

Mr. ORTH. I got it from you, sir.

Mr. HARRISON. All right, I want you to give it again. I want to put it in the record.

Mr. ORTH. No; I have not got it. I have not gone into that question.

Mr. HARRISON. I will give it to you again. It is $470,811,000; that is, during the last four years of Roosevelt's administration, for the Navy. During the four years of Taft's administration how much was it?

Mr. ORTH. $526,000,000.

Mr. HARRISON. How much was it during the first four years of Wilson's administration?

Mr. ORTH. Your *statement* was $1,141,000,000.

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Mr. HARRISON. That is right, $140,000,000 more than Taft's and Roosevelt's administrations combined, was it not?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Don't you think that the fellow who had been voting for such appropriations as that, and increasing them, was doing pretty well toward preparedness?

Mr. ORTH. I think they were at the time they made the appropriations, but they did not make them early enough, sir.

Mr. HARRISON. Now, in your chart, Mr. Browning, in the debate, when he offered his motion to recommit, said he was against the naval appropriation bill, and that is why he offered the motion to recommit.

Mr. ORTH. He said he was against the naval appropriation bill in its present shape.

Mr. HARRISON. That is right, in its present shape; he was against it in its present shape, and voted against it on its final passage.

Mr. ORTH. Yes, sir; he voted against it on its final passage.

Mr. HARRISON. He voted against increasing the Navy in 1916 practically $160,000,000, as you said, over the preceding year, did he not?

Mr. ORTH. On the final passage; yes.

Mr. HARRISON. And I voted for it, and yet in your chart you place him as having voted right, and I am classed as having voted wrong. Do you think that is fair?

Mr. ORTH. In all the affairs of life, and as exemplified in Congress, you have, I venture to say, time and again voted for a bill, or voted against a bill in which you have felt at the time, or afterwards felt, that by your vote you had not done absolutely exact and perfect justice to every contention and every thought on the part of sincere people who might urge their contentions in respect to their vote.

Mr. HARRISON. You think you ought to classify them as to what is in their hearts and their minds, and not according to their votes on the floor of the House?

Mr. ORTH. That is not what I was going to say.

Mr. HARRISON. Do you think it is fair to place Mr. Browning in this chart, and send it broadcast throughout the country, when he voted against the final passage of the naval appropriation bill that carried that large increase, and class him as having voted right, and that I, who voted for it, should be classed as having voted wrong, and to state that he voted for preparedness thereby, and I voted against it?

Mr. ORTH. I think that a small immaterial advantage was given Mr. Browning there which in no way affects the subject matter of the chart.

Mr. HARRISON. Suppose, Mr. Browning and myself were running in the same State for some office, or for reelection to Congress, or for the Senate, and you had distributed your chart throughout the State, and had him classed, in view of those facts, as having voted right, and I as having voted wrong, and asking the voter the question "What are you going to do about it?" Don't you think that would be a great injustice?

Mr. ORTH. It would, sir.

Mr. HARRISON. Absolutely.

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Mr. ORTH. But let me add, please, that if you had taken the trouble to draw attention to that fact, the National Security League would have given that explanation the same publicity that it gave everything else that it did.

Mr. HARRISON. Mr. Orth, you know it is hard to explain a proposition like that and live it down?

Mr. ORTH. I do not think so.

Mr. HARRISON. You say you took that one question from the National Security League's committee that prepared that two years before. In view of that fact, don't you think it would have been fairer to have put another question there, giving the votes on the passage of the naval appropriation bill? Will you answer that question?

Mr. ORTH. I can only answer the question by stating that when the chart was made up I conscientiously believed, and still so believe, that the motion to recommit the naval appropriation bill was more indicative of the conscientious indisposition on the part of the House of Representatives regarding the general subject of preparedness at that time, than the final vote on the naval appropriation bill.

Mr. HARRISON. I find that Mr. Mann, who voted present, and Mr. Graham, who voted present, and Mr. Moore, who voted present on the final passage of this naval appropriation bill, are classed as having voted right, and I am classed as having voted wrong in your chart. Do you think that is fair? Now, don't you know that is not fair, Mr. Orth?

Mr. ORTH. I can see your point of view unquestionably, but I can only answer it by saying this, that the National Security League——

Mr. HARRISON. I did not ask you that. I asked you if you did not think that it would have been fairer——

Mr. ORTH. Congressman, I take it that you are interested in finding the facts, and not merely set answers to legally suggested questions.

Mr. HARRISON. But the Congress is going to read your testimony, and they are going to judge you by the fairness of your answers. They are going to look at these answers, like reasonable men would judge, and I want to know if it would not have been much fairer to have placed in your chart another questionnaire, if you were going to put a question on the motion to recommit, stating what the vote was on the final passage of the naval appropriation bill?

Mr. ORTH. I can only reply to that that the National Security League, after carefully considering the subject——

Mr. HARRISON (interposing). I am not asking you what the National Security League felt. I am asking you your opinion now, Mr. Orth.

Mr. ORTH. My opinion was then, my opinion was——

Mr. HARRISON (interposing). I am asking you what it is now.

Mr. ORTH. My opinion——

Mr. HARRISON (interposing). Read the question.

Mr. ORTH. I understand the question, Congressman. My opinion then and now is that it would have been impossible for the National Security League to give any other presentment than the actual record of the vote as it appeared in the Congressional Record.

Mr. HARRISON. That does not answer my question, Mr. Orth.

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Mr. ORTH. I thought it did, sir.

Mr. HARRISON. I will ask the question again. Don't you think it would have been fairer—I am asking you for your opinion—since you put the questionnaire No. 5, the vote on the motion to recommit the naval appropriation bill, in your chart, to have included in the chart another questionnaire or question giving the vote on the final passage of the naval appropriation bill?

Mr. ORTH. I can only repeat my previous answer to that question.

Mr. HARRISON. You can just answer me yes or no on that, whether you think it would have been fairer or not? Do you think it would not have been fairer; is that what I understand you to say?

Mr. ORTH. I think it would not have been fairer in reflecting the attitude of Members of Congress regarding the question of maximum preparedness.

Mr. HARRISON. It would not have been fairer reflecting the views of Congress touching preparedness?

Mr. ORTH. Touching maximum preparedness.

Mr. HARRISON. The way you have it embodied in this chart, do you not give the impression to people that those who voted against the motion to recommit the naval appropriation bill were against preparedness in this country at that time? You give that impression, do you not, notwithstanding the fact that a majority of the Members of Congress voted for the naval appropriation bill, which carried over $100,000,000 increase over the preceding year, based upon the advice and suggestion of the Navy Department?

Mr. ORTH. That is the impression, certainly, that was given, so far as those questionnaires go.

Mr. HARRISON. And as soon as that injustice was called to the attention of the National Security League they rectified it in the Senate chart by including the vote on the passage of the naval appropriation bill, did they not?

Mr. ORTH. I did not get that. Are you referring to the use of the words "right" and "wrong"?

Mr. HARRISON. No; I am talking about the vote on the passage of the naval appropriation bill.

Mr. ORTH. No, sir; no such conversation or thought ever occurred in regard to the comparison of the votes in the congressional chart and the votes in the Senate.

Mr. HARRISON. I do not think you understand me. You stated it would not have been fairer to have put the vote on the final passage of the naval appropriation bill in the House chart, notwithstanding the fact that a majority of the Members of Congress, by voting for the passage of the naval appropriation bill, voted an increase of over $100,000,000 over the preceding year. Yet you rectified that unfairness when you produced the Senate chart by including question No. 6, the votes in the Senate on the passage of the naval bill.

Mr. ORTH. The inclusion in the Senate chart of the votes on the passage of the naval bill was not put in, sir, as a rectification of any then known wrong or injustice which may have been perpetrated by the congressional chart.

Mr. HARRISON. Who made that change?

Mr. ORTH. It was not a change. I will tell you how the Senate *chart* was made up. The tabulation was made of all the yea-and-nay *votes in* the Senate on what appeared to be matters of outstanding

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portance, from the date of the Vardaman measure first mentioned ere up to and including the last eight named. That tabulation was ne over and without any particular thought regarding the con-essional chart, except we included in the Senate chart the same four easures which had been published in the pamphlet of July 1, 1916, erely selected the measures, in our tabulation of the Senate, those hich had to do with preparedness.

Mr. HARRISON. But it is a fact that in the House chart you only clude in one of your eight questions the motion to recommit the aval appropriation bill, and those men who voted for the final assage of the naval appropriation bill, notwithstanding the fact it arried $100,000,000 increase over the preceding year, are classed as aving voted wrong, and those who voted for the motion to recom-it are classed as having voted right. You say nothing about the ote on the final passage of the naval appropriation bill, and yet in our Senate chart you do incorporate question No. 6, the vote on he final passage of the naval bill.

Mr. ORTH. That is the way it was done, sir, under the circum-stances stated.

Mr. HARRISON. I understood you to say yesterday, or day before yesterday, in answer to Mr. Caraway's question, that Mr. Parker, I believe, your honorary vice president, had protested about the unfair-ness of this chart?

Mr. ORTH. My best recollection of the facts, sir, is that Mr. Parker appeared at a meeting of the executive committee at which I was present and read an extract from a letter which he said he had received from Washington, but did not divulge the name of the writer, and the purport of the letter, as nearly as I can remember it, was that the chart, as issued, was partisan in its findings, and Mr. Parker thereupon made a speech, if I may call it so——

Mr. HARRISON (interposing). By partisan did he mean it tried to help out certain Representatives in certain sections of the United States?

Mr. ORTH. That is the impression I got, and which all of my associates seemed to get.

Mr. HARRISON. It looked like the chart had been made with a view to assisting certain men in certain sections of the United States who were running for office?

Mr. ORTH. No; the impression I got was that it favored the Republicans more than it did the Democrats.

Mr. HARRISON. Did Mr. Parker agree with this correspondent?

Mr. ORTH. He apparently did.

Mr. HARRISON. And said it looked like the chart was favorable to the Republicans?

Mr. ORTH. No; the word Republican or Democrat I do not think was used at the meeting.

Mr. HARRISON. Favorable to whom?

Mr. ORTH. I think the phraseology used was that it was partisan.

Mr. HARRISON. Did you, in making up this chart, take into consideration the votes of men against the inheritance tax?

Mr. ORTH. No, sir.

Mr. HARRISON. Did you take into consideration, in making up the chart, the vote of Representatives in Congress against the income tax?

Mr. ORTH. No, sir.

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Mr. HARRISON. Did you not consider them?

Mr. ORTH. No, sir.

Mr. HARRISON. Don't you think that quite a large percentage these 47 men whom you classed as 100 per cent American vot against the inheritance tax and against the increased income tax?

Mr. ORTH. I have tried to give the facts as to what was passi in our minds at the time, sir; and as I have testified several tim we were attempting to chart those which had to do with winning t war, and these other measures did not suggest themselves to c consideration on that account.

Mr. HARRISON. Are you a Democrat or Republican, or what?

Mr. ORTH. My tendency is to be Republican.

Mr. HARRISON. Did you ever see a letter written from Mr. Lydeck to Mr. West, mentioning the fact that Mr. Parker and Mr. Coude threatened to resign because of the use of the words "right" a "wrong" in your chart?

Mr. ORTH. No, sir; I never saw that letter.

Mr. HARRISON. You heard about it, did you not?

Mr. ORTH. I heard some talk in the office that Mr. Parker h intimated that he might resign, but this is the first knowledge th I have had that Mr. Coudert ever mentioned it or thought to do s

Mr. HARRISON. You heard, though, that Col. Lydecker had writte a letter to Mr. West?

Mr. ORTH. I did not say that. I said I heard it in the office.

Mr. HARRISON. You heard in the office that Mr. Parker threatene to resign, protesting and saying that the chart said "right" an "wrong" and it was unfair and unjust?

Mr. ORTH. No; I did not hear the latter part. I only heard th fact that there was some talk about his resigning.

Mr. HARRISON. Did you hear that Mr. Parker had threatened to resign because he thought the league was trying to help the Republican Party out?

Mr. ORTH. No; I did not hear that statement, sir.

Mr. HARRISON. What?

Mr. ORTH. I did not hear that statement.

Mr. HARRISON. You did not hear that?

Mr. ORTH. No, sir.

Mr. HARRISON. You did not see a letter, then, that Col. Lydecker wrote to Mr. West, saying that Mr. Parker would be sorry to have any action taken that would stamp the league as Republican propaganda, and expressing sorrow that Orth would make no suggestion that would appease him?

Mr. ORTH. I never saw that letter, sir.

Mr. HARRISON. Did you ever hear of any such thing?

Mr. ORTH. I have told you all that I know.

Mr. HARRISON. This last incident, though?

The CHAIRMAN. What is the date of the letter?

Mr. ORTH. Sorry that Orth would do what?

Mr. HARRISON. That Orth would make no suggestion.

Mr. ORTH. I never heard that, sir. I have told you all I know about it, so far as my recollection will serve me, and I may say the matter came up at an executive meeting.

Mr. HARRISON. When was that meeting?

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Mr. ORTH. The meeting?

Mr. HARRISON. Yes.

Mr. ORTH. I shall have to look at my record and see.

Mr. HARRISON. Was it about October 11, 1918? Mr. Orth, will you be kind enough to procure for us and have in the morning the letter which was written on October 11, 1918, by Col. Lydecker to Mr. West touching this matter?

Mr. ORTH. If it is here, sir. If not, I will have it for you in the morning.

Mr. HARRISON. Mentioning the fact that Mr. Parker and Mr. Coudert threatened to resign because of the use of the words "right" and "wrong" and expressing sorrow or regret that the league might be turned into Republican propaganda by you.

Mr. ORTH. Yes, sir. May I say that the addition of that last phrase there further confirms me in my recollection that I have never seen that letter or anything like it.

Mr. HARRISON. You will call the attention of Col. Lydecker and Mr. West to it and get it for us?

Mr. ORTH. I surely will, sir.

(Whereupon, at 4.45 o'clock p. m., the committee adjourned until to-morrow, Saturday, January 18, 1918, at 10 o'clock a. m.)

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ATIONAL SECURITY LEAGUE

APR 21 1921
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HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 11, 1919

PART 11

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

II

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,

Saturday, January 18, 1918.

The committee met at 10 o'clock a. m., the Hon. Ben Johnson (chairman), presiding.

STATEMENT OF MR. CHARLES D. ORTH—Continued.

The CHAIRMAN. Mr. Orth, the accountant for our committee, upon my request, has submitted some figures, which I wish to incorporate in the record at this time, and if you or any other of the officers of the National Security League find them incorrect, we will be glad to have the corrections made in future. I will read what the accountant has written. First, I will say that he has not dealt with any donation to the National Security League of less than $100, and his statement reads as follows:

Total donations, exclusive of remittances from branch organizations, etc., of $100 or more, as shown by the books amount to	$375,045
Of this sum, donations to the amount of	24,890
appear to have been made from points outside of New York City, leaving a balance, donated by persons or corporations in New York City, of	350,155

This makes 93⅜ per cent donated in New York City and 6⅝ per cent donated outside of New York City.

If we include the $50,000 donation, pledged but not yet paid, of the Carnegie Corporation, the total donations of $100 or more would aggregate	425,045
and deducting therefrom the donations outside of New York City of	24,890
would leave balance donated by New York City of	400,155

This would make 94⅛ per cent of the donations of $100 or over from New York City and 5⅞ per cent thereof outside of New York City.

In the above calculation the anonymous donations aggregating $7,000 are treated as being from New York City.

The CHAIRMAN. You have said that you relied upon Mr. West and Mr. Harvey for advice relative to legislative matters when you were uncertain in your own mind as to what course to pursue, have you not?

Mr. ORTH. Yes, sir.

The CHAIRMAN. Why have you relied upon those two?

Mr. ORTH. Because I was told by Mr. West that he had had experience in Washington in reporting Congress, and that he had a familiarity with congressional work and proceedings in general detail which would be distinctly helpful to me in the work which I was doing there.

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The CHAIRMAN. What familiarity did he tell you he had with Congress?

Mr. ORTH. Reporting Congress.

The CHAIRMAN. Did he tell you of any other activity that he might have had with Congress?

Mr. ORTH. He did not, sir.

The CHAIRMAN. Did he ever give you to understand that he had represented any interest here whatever in the way of legislative agent or lobbyist?

Mr. ORTH. He did not, sir.

The CHAIRMAN. Do you know whether or not he has had such experience?

Mr. ORTH. I have no knowledge on the subject whatsoever, sir.

Mr. HARRISON. I believe, Mr. Orth, yesterday I had about finished examining you regarding question No. 5, Motion to recommit naval appropriation bill?

Mr. ORTH. Yes, sir.

Mr. HARRISON. I am going to ask you now about Question No. 6 of your chart, Cooper amendment. You state, "This amendment was designed to prohibit to American ships their legal right to carry arms and ammunition in their cargoes."

You have been examined quite fully touching that question?

Mr. Orth. Yes. sir.

Mr. HARRISON. What is your idea now as to the substance of the Cooper amendment?

Mr. ORTH. My idea of the substance of the Cooper amendment is that ships which were armed defensively should have to forego their legal rights to carry cargo.

Mr. HARRISON. Is it your idea that the amendment proposed to prohibit those ships that were carrying contraband of war—to prohibit American passengers from traveling thereon?

Mr. ORTH. I don't consider that the Cooper amendment had any expression with reference to American passengers.

Mr. HARRISON. Is it your impression that the Cooper amendment proposed that the United States Government should not arm for defensive purposes those ships that were carrying contraband of war?

Mr. ORTH. That, in effect, was it.

Mr. HARRISON. That was in effect what you think the Cooper amendment was?

Mr. ORTH. Yes, sir—not wholly, perhaps.

Mr. HARRISON. Well, substantially that, isn't it?

Mr. ORTH. Substantially that, yes, sir.

Mr. HARRISON. And that the Government should not arm those vessels that were carrying contraband of war to belligerent powers?

Mr. ORTH. Yes, sir; consigned to a belligerent country or citizen thereof.

Mr. HARRISON. Now you intended to embody in that question the embargo question, didn't you?

Mr. ORTH. Not consciously, no, sir.

Mr. HARRISON. Do you see much difference between the embargo of munitions of war question and the substance of that proposition, the Cooper amendment?

Mr. ORTH. I don't think I see any material difference, sir.

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Mr. HARRISON. No material difference?

Mr. ORTH. No, sir.

Mr. HARRISON. Then when you read from the President's letter to Mr. Davies, saying that the embargo question, the McLeMore resolution, and the armed neutrality bill were the acid tests propositions, the reason why you put No. 6 in there was because you thought that embraced the embargo question, is it?

Mr. ORTH. No, sir, I did not; I thought that the tenor of my answer was to the contrary.

Mr. HARRISON. Why didn't you put the votes in the House of Representatives or the views of Members of Congress on the embargo of shipments of war munitions to belligerent countries?

Mr. ORTH. Why, my belief was that both the measures showed the tendency of Members of Congress as affects the great basic and general question, and that it would, to a certain extent, have been a repetition to have done so.

Mr. HARRISON. Then you think that question No. 6 embraces the embargo question, do you?

Mr. ORTH. No, sir; I say I thought it embraced the underlying, the same underlying principle, or fundamental principle that the embargo question embraced.

Mr. HARRISON. Well, I just want to get your views on that. What did you understand the President to mean in that letter to Mr. Davies when he spoke of the embargo on the shipments of munitions of war?

Mr. ORTH. Why, I judge that the President meant that those men who were opposed to the embargo act—or, rather, I will put it in this way—I am trying to express what the letter meant—that the President felt that those who opposed his ideas and wishes of the embargo act were not loyal to 100 per cent Americanism.

Mr. HARRISON. What embargo act?

Mr. ORTH. I don't know which particular one the President referred to.

Mr. HARRISON. I am asking you what is your opinion of the embargo question?

Mr. ORTH. I imagine that the letter having been written in connection with the Senate matter, that it was the embargo act before the Senate.

Mr. HARRISON. Well, explain to me—give me your views as to what that contained. What was it?

Mr. ORTH. Why, according to my best recollection it was an act which prohibited the shipment of arms and ammunition to belligerent countries.

Mr. HARRISON. Yes. Well, don't you think there is quite a difference between a question coming up in Congress prohibiting the shipment of arms or munitions of war to belligerent countries, and the question of whether or not we are going to arm a ship that is carrying munitions of war?

Mr. ORTH. Yes, sir; there is a substantial difference.

Mr. HARRISON. There is a great difference, isn't there?

Mr. ORTH. Yes.

Mr. HARRISON. As a matter of fact, there is very little similarity between the two propoistions, don't you think?

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Mr. ORTH. There is but little similarity, except in so far as they are similar in the attitude—as an index to the attitude of Members of Congress regarding these topics generally.

Mr. HARRISON. There is a great difference, and little similarity in the two questions if the two should come up in the House, of prohibiting American citizens of shipping arms and munitions of war to belligerent countries and the other question of whether or not we would arm ships that carried arms or munitions of war. Isn't that true?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Absolutely, and the Cooper Amendment dealt only with the question of whether or not we would arm ships that were carrying contraband of war, isn't that so?

Mr. ORTH. Yes, sir; it dealt with——

Mr. HARRISON (interposing). And did not deal with the question of whether or not our citizens had the right, irrespective of the question of arming ships, to ship arms and munitions of war to belligerent countries?

Mr. ORTH. It seems that is correct, sir.

Mr. HARRISON. Now, then, the President in his letter—I understood you to answer to some interrogatory, you said that No. 6 question was placed in there, as was question No. 1, because of the acid test vote applied by the President in his letter to Mr. Davies, didn't you?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Then No. 6 question, the Cooper amendment, has no application to the embargo admission by the President in his letter to Mr. Davies?

Mr. ORTH. To the embargo, no.

Mr. HARRISON. Well, the President in his letter—get the letter again to refresh your memory—the letter from the President to Mr. Davies mentioned as the acid-test questions, the McLemore resolution, the embargo, and the armed nuetrality bill, didn't it?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Then you were mistaken when you said that you had chosen No. 6 question, the Cooper amendment, because it came within the purview of the acid test, as suggested in the letter from the President to Mr. Davies?

Mr. ORTH. The Cooper amendment, as I understood it, was a ramification of the armed neutrality bill.

Mr. HARRISON. I understand, but you don't follow me.

Mr. ORTH. And the armed neutrality bill is mentioned in the President's letter.

Mr. HARRISON. But the Cooper amendment, although you say it was designed to prohibit to American ships their legal right to carry arms or ammunition in their cargoes, as I understood you to say—and which is a fact—the Cooper amendment merely prohibited the arming of ships that were carrying contraband of war, isn't that true?

Mr. ORTH. The Cooper amendment says that, "Provided that no ship of American registry, armed in the manner aforesaid, shall carry cargo consisting in whole or in part of arms or ammunition consigned to a belligerent country or to a citizen thereof."

Mr. HARRISON. Yes. Now do you think that the Cooper amendment, marked No. 6 in your chart, has any application to the ques-

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ion of an embargo such as was suggested in the President's letter o Mr. Davies?

Mr. ORTH. No, sir; I do not.

Mr. HARRISON. None at all. Now, why didn't you go to the Congressional Record, you being the expert and chairman of the congressional committee that prepared this chart to enlighten the people hroughout the country on the views of Congressmen, when the President stated in his letter to Mr. Davies that the three questions that ie considered to be the acid-test vote—and you say you took these uestions because of this letter and because of the suggestion of the Persident?

Mr. ORTH. Partly so.

Mr. HARRISON. Those three questions being the McLemore resolution, the embargo question, and the armed neutrality bill; why didn't you go to Congress and get the debates and look up the record of Members of Congress as to their views on the embargo question or propound a questionnaire to them, getting their views as to whether or not the United States Government should prohibit its citizens from shipping munitions of war to belligerent nations?

Mr. ORTH. I can only answer as I believe I have answered the question before, that I and my associates seemed to consider that the broad underlying principle involved, indicating the attitude of Members of Congress on these questions generally, was embodied in the vote on the Cooper amendment.

Mr. HARRISON. I understood you to say a moment ago that there was little similarity between the Cooper amendment and the question of prohibiting the shipment of munitions of war to belligerent nations, and that there was all difference between the question No. 6 and the embargo question. That was your answer a while ago?

Mr. ORTH. That was my answer, but——

Mr. HARRISON (interposing). Now you get back to the proposition and contradict that answer?

Mr. ORTH. I was not conscious of any contradiction.

Mr. HARRISON. You know, as a matter of fact, don't you, that there were speeches made in Congress; that there were bills introduced in Congress about this time, that wanted to prohibit the shipment of arms and munitions of war to belligerent nations. You knew that, didn't you?

Mr. ORTH. Yes, sir; I knew that was the case.

Mr. HARRISON. Who introduced any of those bills?

Mr. ORTH. I can't tell you.

Mr. HARRISON. You didn't investigate that?

Mr. ORTH. I did read it, sir.

Mr. HARRISON. You don't recall now?

Mr. ORTH. I can't recall now.

Mr. HARRISON. Do you know whether or not there was ever a hearing on that proposition by any committee of the House?

Mr. ORTH. On the embargo against the shipment of arms?

Mr. HARRISON. On the embargo, yes.

Mr. ORTH. I don't know that, sir.

Mr. HARRISON. You do not?

Mr. ORTH. No sir.

Mr. HARRISON. Although you posed as an expert and chairman of the congressional committee to give information to the country, and

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asked the question, "What are you going to do about it," on a question that you say the Cooper amendment, being one of the acid test votes——

Mr. ORTH (interposing). I have repeatedly said to the committee, sir, that I do not pose as an expert; that I pose as an average American citizen who is taking the average American citizen's view of these matters, so far as I have been able to interpret it.

Mr. HARRISON. But, Mr. Orth, isn't it reasonable to suppose that the average American citizen throughout the United States, be he in California or in Nevada, or in my State, getting one of these charts prepared by the National Security League, through you as chairman of the congressional committee, giving eight votes as the principal preparedness and war measure votes, and then your chart saying that those who voted one way voted right, and those who voted the other way voted wrong, and then the question, "What are you going to do about it?" would draw the inference that those men had voted against the shipment of arms and ammunition to belligerent nations?

Mr. ORTH. That might be the inference, but I think that, being an average American citizen, he would be able to use his own thought about it, and if it pleases him to pursue the matter further, he could make his own deductions.

Mr. HARRISON. Don't you think now that one of the big questions about that time, in 1916 or 1917, that was before the American people was how a man stood on the question of preventing the shipment of munitions of war to belligerent nations?

Mr. ORTH. I think that was an important question.

Mr. HARRISON. Don't you think that was a more important question?

Mr. ORTH (interposing). May I finish my answer? I think that was an important question, but I don't think that the underlying principle involved was any more important, if as important, as the underlying principle involved by the Cooper amendment and vote thereon.

Mr. HARRISON. Now, let us see about that. Are you sure you believe that?

Mr. ORTH. I am very sure I believe that, sir.

Mr. HARRISON. Now the Cooper amendment, as you say, proposes to prevent the arming of any ships by their Government that were carrying contraband of war. Is that right?

Mr. ORTH. Yes, sir. It said arms and ammunition, and did not say contraband.

Mr. HARRISON. I will allow the amendment, then, arms and ammunition. The embargo on the shipment of munitions would apply to every ship, whether it was armed or not, wouldn't it?

Mr. ORTH. Yes, sir.

Mr. HARRISON. A law that was passed prevented the American citizen from selling to any belligerent country any munitions of war of any kind, is much broader and more important than merely the question that certain ships can not be armed, provided they carry munitions of war, isn't it?

Mr. ORTH. My best information and belief at the time, sir, was that the question involved in the embargo matter was that the underlying question was whether the belligerents should be deprived of

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e ability to get arms and munitions from this country; whereas e Cooper amendment related to the natural, legal and constitu-onal rights of American ships and shipowners and shippers.

Mr. HARRISON. Don't you know that the Cooper amendment only pplied to ships that were being armed by the United States Gov-rnment?

Mr. ORTH. I do, sir.

Mr. HARRISON. You know that, don't you?

Mr. ORTH. I do.

Mr. HARRISON. And this other question was broader than that, be-ause it provided, if such such a law should be passed by Congress, hat no American citizen should ship or sell any munitions of war to any belligerent nation. That was a much bigger question, wasn't it?

Mr. ORTH. I don't think it was, sir; I think that the fundamental principle——

Mr. HARRISON (interposing). I will ask you which is the closest question, as a question of international law, whether or not we had the right, our citizens, to ship munitions and sell munitions of war to a belligerent nation, or had the right to arm ships carrying contraband of war?

Mr. ORTH. You mean which was the most difficult legal question? The Cooper amendment was the most difficult, because the rights affected by the Cooper amendment were those which inhered to the American people and had always done so.

Mr. HARRISON. Don't you think that the question of whether our citizens had a right to ship and sell munitions of war to belligerent nations was one that had been established by international law?

Mr. ORTH. I don't think, sir, that that law had roots so deep or so big or so strong as the law affecting the arming of ships and the shipment of contraband.

Mr. HARRISON. Mr. Orth, didn't I understand you to say yesterday that there never had been a case held to the contrary that the citizens of neutral nations were prohibited from shipping and selling munitions of war to belligerent nations?

Mr. ORTH. That you understood me to say that?

Mr. HARRISON. Yes, sir, in your testimony, that it had always been held that the rights of the citizens of neutral nations to ship munitions of war to belligerent nations had always been upheld.

Mr. ORTH. Prior to when?

Mr. HARRISON. At all times.

Mr. ORTH. Yes, sir; but I submit that the debate itself in the House of Representatives indicated that there was a distinct cleavage from that opinion on the part of a lot of Members of the House.

Mr. HARRISON. On the discussion of the Cooper amendment?

Mr. ORTH. Yes, sir.

Mr. HARRISON. But I am asking you on the embargo on the shipment of munitions of war. I am away from the Cooper amendment altogether. That is why I am trying to clear it up in your mind. Do you recall having heard, in all the history of all the Governments in this world, the question controverted that the citizens of a neutral nation had the right to ship munitions of war to belligerent nations?

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Mr. ORTH. No, sir; I believe it was well understood.

Mr. HARRISON. Absolutely. Germany had done it in the Italian-Russian War, hadn't they?

Mr. ORTH. Yes, sir.

Mr. HARRISON. It had been done in the Boer War, hadn't it?

Mr. ORTH. Yes, sir; I so testified.

Mr. HARRISON. And in the Japanese-Russian War Germany had sold munitions to the belligerents?

Mr. ORTH. I believe so.

Mr. HARRISON. I want to say for your own enlightenment, if you will get a speech that I made some three years ago you will find much more in it one that one question. And there were some speeches made in Congress the purpose of which was to pass a law that would prevent this Nation from shipping munitions of war to belligerent nations. You knew that?

Mr. ORTH. Yes, I knew that.

Mr. HARRISON. Then there was no question about the right of American citizens to sell munitions of war to belligerent nations, was there?

Mr. ORTH. No, sir; there was no question about it in the law as it then existed.

Mr. HARRISON. But in the discussion of the Cooper amendment there was some question, don't you think, as to our right to arm vessels, carrying munitions of war?

Mr. ORTH. Why, there was argument pro and con, unquestionably.

Mr. HARRISON. Then that was really a closer question than the question of the right of American citizens to sell munitions of war to belligerent nations, wasn't it?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Now, what the President of the United States was standing for, as one of the questions to impose the acid test, in the Davies letter, was the right of American citizens being those of a neutral nation, to sell munitions of war to belligerent countries, wasn't it?

Mr. ORTH. In reference to the embargo issue; yes, sir.

Mr. HARRISON. And yet you did not see fit, in making up your chart, to get the views of Congressmen on that question of the American citizen's right to sell munitions of war to belligerent nations, did you?

Mr. ORTH. No, sir; because——

Mr. HARRISON (interposing). You could have done that by sending out a questionnaire to each Member of Congress, couldn't you?

Mr. ORTH. Why, no questionnaire had been sent out up to that time.

Mr. HARRISON. You have sent questionnaires though?

Mr. ORTH. One questionnaire was sent to all members under which they might be given a chance to express their views on all issues, but it was no part of the plan of action of the league to send out questionnaires, except in one instance, or with regard to any single subject. I want to add that the only plan was to incorporate in the chart actual yea and nay votes.

Mr. HARRISON. I understood you to say, though, in your testimony yesterday or the day before, that in your opinion the four questions

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prepared by you, namely, the McLemore resolution, the Kahn amendment to the concription act, the declaration of war, and the Cooper amendment, were much more important questions than the four questions on preparedness, enumerated in your chart.

Mr. ORTH. Taken singly, I think they were.

Mr. HARRISON. Then don't you think that the question of the right of American citizens to sell munitions of war to belligerent nations was a more important question than whether or not the Army should be increased from 90,000 or 100,000 to 230,000 or 175,000 in 1916?

Mr. ORTH. My belief with regard to that, sir, was that it was the opinion of the country.

Mr. HARRISON. I am asking your opinion now, though.

Mr. ORTH. My opinion was that the vote on the embargo issue tended more to show the sympathies of Representatives, and possibly their districts, in the war, than it showed any question attaching to Americanism solely.

Mr. HARRISON. Well, I understood you to say that. In other words, that a man, in your opinion, would be classed as more disloyal—I will put it as against your country—by standing against the principle of the right of American citizens to sell munitions of war to belligerent nations, than the man who voted to raise the Army to 175,000 as against 220,000 in 1916.

Mr. ORTH. I should say yes, sir.

Mr. HARRISON. Of course. Now don't you think it would have been better, and probably fairer, to have placed in your chart a questionnaire showing how Members of Congress stood on the question of the rights of American citizens, being that of a neutral country, to sell munitions of war to belligerent nations?

Mr. ORTH. It did not so seem to me, at the time, sir.

Mr. HARRISON. Does it seem to you now? You don't mind changing your opinion, when you see the light?

Mr. ORTH. Certainly not. I would have been glad, if it had been practicable, to have published a chart very much more voluminous, but it was absolutely impracticable.

Mr. HARRISON. I understand, but I am not asking you that. I don't care how big the chart may have been; I am asking you, don't you think it would have been better and fairer, knowing the situation as you do now, to have embodied a questionnaire in your chart, showing how Members of Congress stood on the question of the right of American ships, citizens, to ship munitions of war to belligerent nations?

Mr. ORTH. It might have been fuller and more informative, but I don't believe that it would give any important additional light on the question of what I have called 100 per cent Americanism, for the reason that I have already stated——

Mr. HARRISON (interposing). Now let us see about that——

Mr. ORTH (interposing). Pardon me—for the reasons that I have already stated, that I believe and still believe, that the vote on the embargo issue was a vote which indicated sympathies for or with countries abroad rather than affecting any distinctly American issue.

Mr. HARRISON. Well, now, suppose that here is a Member of Congress who voted, say, for the Cooper amendment because he honestly believed that we should not ship munitions of war on vessels that were armed by the United States Government—or, I will put the

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question the other way—or armed vessels that were carrying arms and munitions to belligerent powers; he voted for that Cooper amendment because he was against that principle. On the other hand, when the question came up of whether or not our citizens had the right to sell munitions of war to belligerent nations, he stood for that principle itself and voted for it; which would you place the higher estimate of Americanism on, by which vote?

Mr. ORTH. Why, I can not answer that question, because I have already stated that the one, in my opinion, did not involve the question of Americanism, while the other did. That is the answer, sir; the vest answer I can make.

Mr. HARRISON. Do you think it was more important—before I get to that—did you know there were petitions presented to Congress about this time from hundreds of thousands of people over the United States asking us to pass a law preventing American citizens from selling and shipping munitions of war to belligerent nations?

Mr. ORTH. Yes, sir; I heard it at the time.

Mr. HARRISON. You knew that. Did you know, too, that the Foreign Affairs Committee of the House gave a very exhaustive hearing on that question?

Mr. ORTH. I can't say that I knew that.

Mr. HARRISON. You didn't know that?

Mr. ORTH. No.

Mr. HARRISON. But it was a very important question at that time, wasn't it?

Mr. ORTH. It attracted a great deal of public attention.

Mr. HARRISON. Now, which do you think is more important, to arm our ships in 1917—March, 1917—to arm our ships for defensive purposes, or to pass the Cooper amendment, which limited the proposition of arming ships against those ships that were carrying contraband of war?

Mr. ORTH. Will you please repeat that question?

Mr. HARRISON. I will put it this way, if you don't understand it: Do you think it was very important in March, 1917, to pass a law giving the right of our citizens to arm their ships for defensive purposes to sail the seas?

Mr. ORTH. I think it was very important.

Mr. HARRISON. A very important question?

Mr. ORTH. To arm them for defensive purposes; yes, sir.

Mr. HARRISON. That was what was proposed to do in the armed neutrality bill, was it not?

Mr. ORTH. Yes, sir.

Mr. HARRISON. That is what the President asked us to do?

Mr. ORTH. Yes, sir.

Mr. HARRISON. In a special message to Congress?

Mr. ORTH. Yes, sir.

Mr. HARRISON. An in his letter to Mr. Davies he said that the armed neutrality vote was one of the acid-test votes, wasn't it?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Yet you did not place that in your chart as one of the questions, did you?

Mr. ORTH. No, sir; I thought it more important to place in the *chart the* amendment which sought to emasculate the bill which the *President* sought to have passed.

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Mr. HARRISON. In other words, you differed with the President to that extent, didn't you?

Mr. ORTH. In so far as that could be called a difference of opinion, yes, sir; but I submit that I did not——

Mr. HARRISON (interposing). It was a very different opinion, wasn't it?

Mr. ORTH. I submit I did not regard it as a difference of opinion.

Mr. HARRISON. Don't you recall that the President, when there were 12 Senators who held that bill up at the close of that session of Congress and defeated it, that the President gave a statement to the country and said the little group of willful men, having no opinion except their own, had held this country contemptible in the sight of the world?

Mr. ORTH. Yes, sir.

Mr. HARRISON. He thought it was a pretty important measure, didn't he? Yet in your chart, which you say embraces the eight most important war and preparedness measures, you leave that out altogether, don't you?

Mr. ORTH. I leave the vote out, but I do put in the vote on the particular thing which the President wanted.

Mr. HARRISON. The particular thing that the President wanted?

Mr. ORTH. Yes, sir.

Mr. HARRISON. The thing that the President wanted was to pass the armed neutrality bill, wasn't it?

Mr. ORTH. The thing that the President wanted was to have the armed neutrality bill passed, which should provide that ships, armed in the manner aforesaid, would have the right to carry contraband.

Mr. HARRISON. And so you go out and pick up a question as more important, of whether or not munitions should be shipped on those vessels that were armed, rather than the question of the armed neutrality bill, don't you?

Mr. ORTH. I picked up, as you put it, that part of the question which it seemed to me and my associates was by far of the greatest importance in the estimation of the people at large.

Mr. HARRISON. Now let us see about that; there were many ships, American ships, that were traversing the seas at that time that were not carrying munitions of war, but only passengers. Isn't that true?

Mr. ORTH. Unfortunately, not many.

Mr. HARRISON. There were some?

Mr. ORTH. Yes, sir.

Mr. HARRISON. How many would you say, in proportion to the larger number carrying munitions?

Mr. ORTH. I could express only a very bulk opinion about that.

Mr. HARRISON. But there were some ships, American ships, that were not carrying munitions of war, but only passengers; isn't that true?

Mr. ORTH. Why, if you mean by "munitions of war" ammunition——

Mr. HARRISON (interposing). Munitions as embodied in the Cooper amendment.

Mr. ORTH. There undoubtedly were some American ships not carrying arms and ammunition, but I believe all of them were carrying contraband.

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Mr. HARRISON. You believe all of them were carrying contraband!

Mr. ORTH. I believe all of them had in their cargoes some kind of contraband. It was almost impossible for a ship at that time to sail the seas without having on board some article of contraband, which would come under the contraband list which the belligerent countries had issued.

Mr. HARRISON. Suppose there were some ships that were not carrying contraband of war or arms and ammunition, but only passengers, and other merchandise that could not be construed as contraband of war. You don't think that those people should have been protected by having their ship armed, do you?

Mr. ORTH. I certainly do, sir.

Mr. HARRISON. You do think that?

Mr. ORTH. I do think that, unquestionably.

Mr. HARRISON. Well, I am wondering if your opinion has been formed that the Cooper amendment, which allowed munitions of war to be sent abroad—if that opinion has been influenced by the fact that certain munitions manufacturers in this country have contributed to the National Security League.

Mr. ORTH. No, sir; it has not, directly nor indirectly, express or implied, or in any shadow, shape, or form. I wish to state to this committee and to the people of the United States that I, as chairman of the congressional committee, and to my knowledge, anybody whosoever, directly or indirectly connected with the National Security League, never had any such thought, so far as I know; certainly they never had any such conversation with me, and if they had suggested it to me, either they would have gotten out or I would have gotten out of my job.

Mr. HARRISON. Now, let me ask you, in that connection, if there is a letter now on file in the National Security League, from Mr. Lydecker to Mr. West, stating in substance that he had had a conference with you and that you, as chairman of the congressional committee, had suggested to Col. Lydecker that certain men on Wall Street, in New York, which you had designated by marking in a directory, would probably contribute to the National Security League to carry on this congressional campaign work?

Mr. ORTH. I think there is such a letter, but it has no reference, direct or indirect, to arms or ammunition.

Mr. HARRISON. Now isn't it the fact that in the suggestion of those names certain names are included who are directly or indirectly interested in the manufacture of munitions of war?

Mr. ORTH. That may or may not be, and I desire to say to this committee that the method of arriving at those names was this: That a clerk in the office of the National Security League was told to take the directory of directories in New York and to check off every name of what he thought—what he thought, mind you—might be a man who would contribute to the funds of the congressional committee. I did no such checking; I gave that clerk no instructions whatsoever as to the man's occupation, his connection, or anything else, but merely told him to try and pick out, so far as his intelligence would carry him, the information given in the directory of *directories*, the names of men from whom we might get money to *carry on* our work.

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Mr. HARRISON. Let me ask you in that connection, why do you iagine did Mr. Parker, the honorary vice president of the league, ggest to Col. Lydecker that you were too active and that he ared you were trying to carry on a Republican propaganda in the ational Security League?

Mr. ORTH. I don't know, sir. All I can tell you is what actually ppened. I started to—I gave you yesterday a description of hat happened at the first meeting of the executive committee of the ational Security League, at which Mr. Parker had not appeared or some time. He came to that meeting, and it was also attended y a number of other gentlemen who had not been at the executive ommittee meetings for some time. I had never seen Mr. Parker efore, and I was not then introduced to him. During the course of he meeting Mr. Parker produced from his pocket what was apparently a letter, and read from it a paragraph, prefacing his reading by stating that he had a letter from somebody in Washington, but he did not volunteer to say from whom, and the purport of what he read was that our chart had been conceived in a partisan spirit. A discussion ensued, and—may I read the proceedings of the executive committee, the minutes, to you?

Mr. HARRISON. I have no objection. I would like to see that letter.

Mr. WEST. I want to understand just what you want?

Mr. HARRISON. About Mr. Orth's political activities.

Mr. WEST. I don't remember particularly. I will get it.

Mr. ORTH. You mean something in addition to the letter of October 11 that you referred to yesterday?

Mr. HARRISON. Yes. That isn't very long, is it?

Mr. ORTH. No, sir. (After consulting paper.) This refers to all sorts of things, like teachers' bureau matters and vocational training and things like that. On motion, duly seconded—I beg pardon, this is from the minutes of the meeting of the executive committee of the National Security League. October 16, 1918, at which there were preesnt Col. Charles E. Lydecker, Alexander J. Hempler, C. A. Dill, Frederick R. Coudert, Edward Harding, Dr. Robert M. McElroy, S. Stanwood Menken, W. E. Remington, Lloyd Taylor, Col. G. Creighton Webb, Maj. William H. Wylie, Luke E. Wright (Memphis, Tenn.), and Henry L. Webb, executive secretary, and by invitation Charles D. Orth, chairman of the congressional campaign committee, and E. W. Woodstock, chairman of the Moline, Ill., branch. I might explain that I was present by invitation, because at that time I had not been elected a member of the executive committee. So I merely attended as a matter of courtesy.

Mr. HARRISON. They invited you because you knew that this row was coming up?

Mr. ORTH. No, they invited me to attend all meetings of the executive committee since I have been connected with the congressional campaign. On motion, duly seconded, the following resolution was adopted:

Resolved, That the chair be empowered to appoint a committee of such number as he may think proper to consider and report upon a plan and scope of work in connection with the returned soldiers——

No, I will begin that over again:

Mr. Orth, from the committee on congressional campaign, submitted a statement regarding charts of votes of Members of the House of Representatives on

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preparedness and war measures, which statement was read in full to the mittee, whereupon after discussion, Col. Webb moved the following resol

Resolved, That the report submitted by the chairman of the congress campaign committee be approved in substance and referred back to that c tee for such change as it may deem right and proper.

Mr. HARRISON. When was this meeting?

Mr. ORTH. October 16.

Mr. HARRISON. October 16. The charts had been issued, thou then and distributed.

Mr. ORTH. Yes, sir.

Mr. HARRISON. Both the Senate chart and the House chart.

Mr. ORTH. No, the Senate chart was not distributed until con erably later. (Reading)

Mr. Coudert moved to amend the resolutions so it would read as follow

Resolved, That the report submitted by the chairman of the congress campaign committee be approved in substance and be referred back to that mittee, to qualify it as may be thought proper, in order to express the of regret that the charts had been so worded as to allow an interpretati partisanship. A vote being taken, the amendment was declared lost by a of 5 in the affirmative and 6 in the negative. Thereupon the original resolu having been duly seconded was adopted.

Mr. HARRISON. Who were those five who voted for the Coude amendment that criticized the charts?

Mr. ORTH. According to my best recollection——

Mr. HARRISON (interposing). The minutes don't show that?

Mr. ORTH. The minutes don't show that. They never do. Accor ing to my best recollection Mr. Parker, Mr. Coudert, Mr. Menke Gen. Wright, and, I think, Mr. Bill.

Mr. HARRISON. Mr. Bill? Now, those were the five that voted f the Coudert amendment?

Mr. ORTH. That is my best recollection, but I could not testify to it positively.

Mr. HARRISON. That says the chart ought to be changed to tak out the partisan flavor that the chart gave. Now, who were the s that voted the other way?

Mr. ORTH. Mr. Harding, Dr. McElroy, Mr. Hemple—I am not sure of this, Senator—I mean I am simply trying to—I wish to explain that the votes are taken in such a manner that it is impossible to——

Mr. HARRISON (interposing). Hemple, McElroy, and who else?

Mr. ORTH. Mr. Remington, Mr. Taylor, Col. Webb, Maj. Wylie.

Mr. HARRISON. Where was Col. Lydecker?

Mr ORTH. He was chairman.

Mr. HARRISON. He didn't vote?

Mr. ORTH. No.

Mr. HARRISON. Where was Mr. West? Wasn't he a member of the executive committee?

Mr. ORTH. He is not a member of the executive committee, so far as I know.

Mr. HARRISON. So now, I judge that on that motion on the amendment offered by Mr. Coudert, that Judge Parker, Mr. Wright, Mr. Menken, Mr. Coudert, and what was the name of the fifth man that voted for it?

Mr. ORTH. Mr. Parker, Mr. Coudert, Mr. Bill.

Mr. HARRISON. Mr. Bill, yes. Who is Mr. Hemple?

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Mr. ORTH. Mr. Hemple is chairman of the board of directors of the Guaranty Trust Co., of New York.

Mr. HARRISON. And Mr. McElroy is a paid employee of the National Security League?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Getting $10,000 a year. He is the man that made that speech out at the University of Wisconsin?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Mr. Remington, is he a relative of the Remingtons who own and control the Remington Arms Co., munition manufacturers?

Mr. ORTH. I am practically certain he is not, sir. He is not connected with them.

Mr. HARRISON. How do you know that?

Mr ORTH. I don't know it, in so far that I am able—no, I don't know it of my own knowledge. I couldn't testify to that from my own knowledge.

Mr. HARRISON. Mr. Taylor, he is the expert on military science, is he?

Mr. ORTH. I don't know whether he poses as an expert, or whether he is in the same position that I am, but Mr. Taylor is a gentleman who was very largely responsible for the preparedness parades in this country, and was interested in the question of preparedness and every other good thing that comes to our notice.

Mr. HARRISON. All good things. Now Col. Webb, who is he?

Mr. ORTH. I don't know, sir, of my own knowledge. I never met Col. Webb until——

Mr. HARRISON (interposing). You don't know what business he is engaged in?

Mr. ORTH. I don't imagine he is engaged in any business.

Mr. HARRISON. Maj. Wylie?

Mr ORTH. Maj. Wylie I never met until I met him at the executive committee meetings, and I have heard it testified here that he was formerly a Member of Congress and a member of some book publishing concern.

Mr. HARRISON. So the vote was pretty close on the amendment offered by Mr. Coudert?

Mr. ORTH. Very close, sir.

Mr. HARRISON. It was defeated by one vote.

Mr. ORTH. By one vote.

Mr. HARRISON. Did you feel the effects of that criticism embraced in that amendment?

Mr. ORTH. No, sir; I did not, and my state of mind at the time was one of very considerable indignation because I had tried to conscientiously avoid any thought or act which would enable anybody else, or which would permit my conscience to accuse me of any shadow of endeavor to be partisan.

Mr. HARRISON. And yet there were five men on the executive committee out of eleven who voted—who by their votes said that the chart was unfair, and bespoke a partisan flavor?

Mr. ORTH. Yes, sir; and I requested those five men at the meeting to be kind enough to explain how and why the chart was partisan, and I did not succeed in getting any explanation which created in

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my mind any definite thought or idea of what they had in mind themselves.

Mr. HARRISON. Well, I am not surprised. But what were the facts as stated by any of those gentlemen to you as their reasons for their belief that the chart was unfair and unjust, and bespoke a partisan color?

Mr. ORTH. Why, they did not, according to my best recollection, go into any detail.

Mr. HARRISON. They had an expression when the amendment was offered and the motion was made?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Now, who spoke in that discussion?

Mr. ORTH. Mr. Parker.

Mr. HARRISON. What did he say in substance, according to your recollection?

Mr. ORTH. Why, he read the extract from the letter, and then went on in a general way, according to my best recollection, to say that the chart was misunderstood; that it was partisan in its tendency; and that he thought it ought to be amended.

Mr. HARRISON. How amended?

Mr. ORTH. He didn't specify, sir.

Mr. HARRISON. Well, did Mr. Coudert speak?

Mr. ORTH. Mr. Coudert spoke, and he made a speech along the same general lines, saying that the chart had been misinterpreted as a partisan pronouncement, and that he also thought the National Security League should avoid any such appearance, as it was entirely inconsistent with their professions and their principles, and he also wished to have some modification made.

Mr. HARRISON. So, on a motion to approve your work, as embodied in this chart, there were only 6 votes out of 11 that voted for its approval, and 5 votes voted for disapproval. Isn't that practically true?

Mr. ORTH. That is correct, sir.

Mr. HARRISON. And then, after that vote was taken, and you saw the sentiment of the executive committee and the charge made against your work, that it was unfair, unjust, and partisan, you changed the Senate chart?

Mr. ORTH. No, sir; I did not.

Mr. HARRISON. Well, it was not made—the Senate chart was not made along the same lines as the House chart?

Mr. ORTH. No, but I desired to put in the record how the change occurred. The Senate chart was made up and printer's proof was received by me, which proof, at Col. Lydecker's request, I sent down to him at his office down town. He telephoned me asking me if I would come down and see him. I went down to see him and he laid the Senate chart out on the table, and he said: "Now, Orth, I know that you feel very strongly that you ought to print this Senate chart as you have it here, showing the votes as right and wrong."

Mr. HARRISON. Did it include this question: "What are you going to do about it?"

Mr. ORTH. I don't think it did.

Mr. HARRISON. You think you had left that out?

Mr. ORTH. That was left out.

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Mr. HARRISON. You were not going to propound that question to the American people touching the votes of the Senators?

Mr. ORTH. As a matter of fact, I personally did not propound it. That was—the Colonel said: "Now, Orth, I know how strongly you feel about this matter, but would you mind sending out this chart this way?" And he then wrote in lead pencil across the proof which he had before him: "For and against preparedness and war;" and then above certain other measures, "For and against preparedness and war measures before war was declared," and then the other option as appears in the chart. He also, at the bottom, said, "Now, would you mind making this change?" At the bottom we had printed the same as is printed at the bottom of that chart, "Published by the National Security League, Congressional Committee," and he struck out the words, "Congressional Committee." I said, "Certainly not."

Mr. HARRISON. Have you that proof in the files now, as amended and as brought to you from the printer?

Mr. ORTH. I sincerely hope so, sir, and if it is there——

Mr. HARRISON (interposing). Did you strike out also that "For and against Americanism?"

Mr. ORTH. I don't know—according to my best recollection that was not in the original proof.

Mr. HARRISON. So I judge from what you say, then, that Col. Lydecker, as chairman of that executive committee, hearing the discussion and the argument presented by Judge Parker and Mr. Coudert and the other gentlemen who were disapproving of your action in preparing this chart, and thereby carrying with it the imputation that it was unjust and unfair and partisan, they had convinced Col. Lydecker, who had not voted before, that really they were right in their criticism?

Mr. ORTH. Why, I believe that Col. Lydecker's action in the matter at that time was that he felt that he as the chairman of the organization should and had to do his best to more or less conciliate and solidify such variations of opinion as might exist, and it was in that spirit that I acceded to the Colonel's suggestions.

Mr. HARRISON. I see. So you paid no attention to the suggestions made by Judge Parker and Mr. Coudert and Judge Luke Wright and these other two gentlemen, and would change your chart because of their arguments and what they had stated, but when Col. Lydecker came in that smooth—that persuasive, that diplomatic way of his, then you changed, is that right?

Mr. ORTH. No, sir; that is not right. The reason I was not influenced by what Judge Parker and Mr. Coudert said was that the burden of their criticism and comment was that the chart was partisan, and, as I have explained, it was so far from being partisan and was so far from having been conceived or executed in that spirit, that I felt a very strong indignation at it, and I did not feel their criticism in the slightest as being justified or proper to be considered.

Mr. HARRISON. Now, then, let me go further.

Now, I want to ask you about this last, No. 8 question, the Kahn amendment to the conscription act, April 23, 1917. You say this provided for the raising—conscription of the necessary Army to give effect to the declaration of war?

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Mr. ORTH. Yes, sir.

Mr. HARRISON. Was it your opinion that the Kahn amendment to the conscription act provided for the raising by conscription of the necessary Army to give effect to the declaration of war?

Mr. ORTH. The Kahn amendment did?

Mr. HARRISON. Yes.

Mr. ORTH. No.

Mr. HARRISON. That is what you state in your chart?

Mr. ORTH. No, sir; not that the Kahn amendment to the conscription act did, but that the conscription act itself provided that.

Mr. HARRISON. Well, but your question there says:

The Kahn amendment to the conscription act provided for the raising by conscription of the necessary army to give effect to the declaration of war.

Mr. ORTH. The Kahn amendment did provide, did make possible the raising by conscription——

Mr. HARRISON (interposing). I am not talking about making possible; I am talking about providing. You say in your chart that the Kahn amendment provided for the raising by conscription of the necessary army to give effect to the declaration of war.

Mr. ORTH. Well, if——

Mr. HARRISON (interposing). Is that your opinion of what the Kahn amendment did?

Mr. ORTH. No, sir; the Kahn amendment——

Mr. HARRISON (interposing). Then your No. 8 is wrong, isn't it?

Mr. ORTH. It is wrong, judged by the standard which you have set up.

Mr. HARRISON. Well, I am reading it as any ordinary man would read it, that you say that the Kahn amendment to the conscription act provided for the raising by conscription of the necessary army. That is what it says, doesn't it?

Mr. ORTH. Technically that is correct.

Mr. HARRISON. Then any ordinary man reading and judging the vote of his Congressman as being right or wrong, would say that the Kahn amendment—you would interpret it—that the Kahn amendment provided by conscription for the raising of the necessary army, wouldn't he?

Mr. ORTH. Why, he would so interpret it, but he would also——

Mr. HARRISON (interposing). That is the only interpretation you can put on reading that proposition, isn't it?

Mr. ORTH. Technically, yes, sir.

Mr. HARRISON. Well, I am not talking technically. Any ordinary man reading question No. 8, which states that the Kahn amendment to the conscription act, April 23, 1917, "provided" for the raising by conscription of the necessary army, etc., would infer that the Kahn amendment proposed to raise an army by conscription, wouldn't it?

Mr. ORTH. Undoubtedly you could put such a construction on it.

Mr. HARRISON. Do you think that is the right construction to put on it, and what really happened?

Mr. ORTH. That is not the construction to be put on the Kahn amendment.

Mr. HARRISON. Then your chart is wrong in this question No. 8, isn't it?

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Mr. ORTH. Pardon me, I had not finished that. But there is no question that the fundamental truth of the circumstances was asted in that description.

Mr. HARRISON. What did the Kahn amendment do, now? You ve admitted that you were wrong in the question that you put the chart, No. 8. I want to ask you what was the Kahn amendnt?

Mr. ORTH. I have admitted it, as the evidence will show, and only the manner that the evidence will show, sir. The Kahn amendent struck out of the conscription act the provision for first resorting to the raising of volunteers.

Mr. HARRISON. And yet your question No. 8 would give the impreson to the ordinary reader that Mr. Kahn's admendment proposed raise it by conscription, and that the balance of the committee and ose who voted against it proposed to raise it by the volunteer sysm, wouldn't it? That is the only fair interpretation, isn't it, to put n it?

Mr. ORTH. No, sir; in my opinion it is not.

Mr. HARRISON. I understood you to say that the Kahn amendment roposed to strike out the volunteer provisions of the bill, didn't you?

Mr. ORTH. Yes; that is the case.

Mr. HARRISON. And yet you say here in your questionnaire, No. 8, hat the Kahn amendment provided for raising by conscription the necessary army?

Mr. ORTH. Well, I think that those—what you state, sir, concerns itself more with the form of expression than it does with the essential fact.

Mr. HARRISON. Now I understood you to say you were not in favor of raising those four divisions for Col. Roosevelt, as embodied in this act, that carried the Kahn amendment. Am I right in that?

Mr. ORTH. Why, my best recollection is that I did not testify exactly to that effect, sir.

Mr. HARRISON. What did you believe about giving the War Department the right—giving to Col. Roosevelt the right to raise four divisions?

Mr. ORTH. I think the question was whether I considered it important with respect to the subject of volunteering—something to that effect I said, and I did not——

Mr. HARRISON (interposing). You did not think the Roosevelt amendment was a very important amendment?

Mr. ORTH. Not compared with—no, relatively unimportant.

Mr. HARRISON. How many men would that have embraced, if the President had followed the provisions of that law?

Mr. ORTH. Some two hundred-odd thousand.

Mr. HARRISON. It is your impression it would have carried two hundred and some odd thousand?

Mr. ORTH. I believe it would. I don't recall what the number was, sir.

Mr. HARRISON. It was not that many, I want to say.

Mr. ORTH. I thought so, too, after I had made that statement.

Mr. HARRISON. It was something less than 100,000. But you think that was a very small proposition?

Mr. ORTH. Why, I think so.

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Mr. HARRISON. What if the amendment had carried 750,000; d you think it would have been more important?

Mr. ORTH. Very distinctly more important.

Mr. HARRISON. In principle would it have been different?

Mr. ORTH. It would have been different in principle, so far the one was a very unusual proceeding, and the other would ha been an official, regular proceeding of the ordinary machinery of t Government.

Mr. HARRISON. Do you think that the amendment of Mr. Kah that struck out the provision of the Army bill for raising a volunte force, made it mandatory upon the President to raise that force b the volunteer system?

Mr. ORTH. The striking out of the volunteer provision?

Mr. HARRISON. Well, suppose it had not been stricken out, do y think that the provision of the law, as stricken out, made it mand tory upon the President to resort to the volunteer system?

Mr. ORTH. No, sir; it made it mandatory upon the President attempt to secure volunteers, but gave him the privilege of resortin to conscription, practically, as I remember the discussion.

Mr. HARRISON. Is there any difference in the reading of the pr vision that Mr. Kahn moved to strike out, and which you say the who voted against it voted wrong, and those who voted for it vot right; and the provision in the same law that gave to the Preside the right to raise four divisions for Col. Roosevelt by the volunte system?

Mr. ORTH. Is there any difference in the principle?

Mr. HARRISON. Not in the principle; in the wording, practicall of the provisions.

Mr. ORTH. I don't think there is, sir.

Mr. HARRISON. Both of them gave to the President the authorit did they not, to raise these divisions for the volunteer system?

Mr. ORTH. Why, according to the——

Mr. HARRISON (interposing). I am asking you now from memo on that proposition.

Mr. ORTH. My memory is that Mr. Dent admitted in the deba on the floor that it was practically mandatory on the President to a tempt to secure volunteers.

Mr. HARRISON. No, Mr. Dent did not make any such statement that on the floor.

Mr. ORTH. May I read from the Record what I am trying to p before the committee?

Mr. HARRISON. Well, if it is not too long.

Mr. ORTH. I think it is short. This is from the Congressiona Record, April 25, 1917:

> Mr. SHERLEY. The gentleman's plan contemplates getting the first 500,000 and then the second 500,000 by volunteers. Is that not true?
>
> Mr. DENT. That is very true, if the President so desires.

Mr. HARRISON. Well, absolutely. Isn't there a great deal of diffe ence in what you have read and the question of compelling t President to do that, whether he desires or not? Didn't Mr. Den expressly state, in answer to Mr. Sherley, in answer to his questio that the President could raise by volunteers, if he so desired? Is *that true?* You just read it.

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Mr. ORTH. That the President could raise?

Mr. HARRISON. Could raise these first two divisions, 500,000 each, by the volunteer system, if he so desired.

Mr. ORTH. But not until after he had tried the other.

Mr. HARRISON. Well, you read from the Record, and you said that Mr. Dent, in answer to Mr. Sherley, said "if the President so desires."

Mr. ORTH. I read further from the Record——

Mr. HARRISON (interposing). I am asking you about that, though, now.

Mr. ORTH. No; the Record shows that the President would have to wait until the volunteering system had broken down.

Mr. HARRISON. You think that the provisions of that law made it mandatory on the President to raise that army of 500,000 by the volunteer system?

Mr. ORTH. I do, because they appear to have been so described by the chairman of the Miltary Affairs Committee on the floor of the House.

Mr. HARRISON. That Mr. Dent said that it was mandatory on the President?

Mr. ORTH. In effect, sir.

Mr. HARRISON. Not what you read.

Mr. ORTH. But I beg to read further, the immediate continuation of what I have previously read:

> Mr. SHIRLEY. Yes. Now if the President so desires, when does he get the power to decide otherwise? When in his opinion the volunteering system breaks down. Isn't that true?
>
> Mr. DENT. That, in his opinion, the volunteer system has broken down?

Mr. HARRISON. Absolutely, if he fails and if in his opinion he cannot raise the army by the volunteer system, and it won't work, then the President can immediately, under the provisions of the bill, apply the draft, couldn't he?

Mr. ORTH. If the President decides that the volunteer system has broken down, he could immediately apply the draft?

Mr. HARRISON. Absolutely. The same provision applies to the raising of those 500,000 as applied to the President raising four divisions and letting Col. Roosevelt be at the head of them, didn't it?

Mr. ORTH. I think so, sir.

Mr. HARRISON. Now, in other words, both of them only authorized the President to try out that proposition if he so desired?

Mr. ORTH. No, sir; I do not believe that that was the opinion of the people of the country at the time.

Mr. HARRISON. I am not talking about the opinion of the people of the country; I am talking about the provisions of the law.

Mr. ORTH. I believe that the effect of a provision of the law would have been to make it mandatory upon the President to carry out the volunteer system thoroughly before he resorted to conscription.

Mr. HARRISON. There is absolutely nothing in the law to that effect.

Mr. CARAWAY. May I ask the gentleman one question?

Mr. HARRISON. Certainly

Mr. CARAWAY. The same provision applied to the Roosevelt army, and he didn't try that at all, did he?

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Mr. ORTH. No, sir; he didn't take any action with regard to that.

Mr. CARAWAY. Yes; he did take an action with regard to it.

Mr. HARRISON. Now, Mr. Orth, here is the reading of the law:

And in the event the President decides that such additional force or forces shall not have been effectually raised, he may, as he may at any time deem necessary, apply the draft.

There is the law, and I will ask you to look at it (handing paper to witness). I don't want you to be mistaken about that, notwithstanding the fact that you are the expert head of the congressional campaign committee of the National Security League.

Now let's get back to this Roosevelt four-division proposition. Isn't it a fact that the law—I want to hand you that—that the law that gave to the President the right to raise four divisions by the volunteer system, commonly known as the Roosevelt amendment, was in practically the same wording as the provision that Mr. Kahn moved to strike out, and which was stricken from the bill?

Mr. ORTH. I believe it was, sir.

Mr. HARRISON. Now read section 7 of the law that gave the President the right to raise those four divisions by the volunteer system commonly known as the Roosevelt amendment (handing paper to witness). I have it marked there. Read it out loud so it can go into the record.

Mr. ORTH (reading):

The President is further authorized to raise and maintain by volunteer enlistment; to organize and equip, not to exceed four infantry divisions, the officers of which shall be selected in the manner provided by paragraph 3 of section 1 of this act: *Provided*, That the organization of said force shall be the same as that of the corresponding organization of the Regular Army: *And provided further*, That there shall be no enlistments in said force of men under 25 years of age at time of enlistment: *And provided further*, That no such volunteer force shall be accepted in any unit smaller than a division.

Mr. HARRISON. Now, that became the law, didn't it?

Mr. ORTH. Yes.

Mr. HARRISON. Is there anything in the provisions of that law that compels the President to raise those four divisions?

Mr. ORTH. No, sir.

Mr. HARRISON. Nothing at all?

Mr. ORTH. No, sir.

Mr. HARRISON. There was nothing in the other provision that compelled the President to raise 500,000 men by the volunteer system was there?

Mr. ORTH. No, sir.

Mr. HARRISON. Not a thing. Isn't it a fact that the President absolutely ignored that provision of the law and did not raise the four divisions and did not put Col. Roosevelt at the head of them?

Mr. ORTH. It certainly is, sir.

Mr. HARRISON. And isn't it a fact, under the same reasoning, that if the provision that was stricken out on the motion of Mr. Kahn, in which you say those Members against voted wrong, and those who voted for it voted right—if that had not been stricken out and had been placed in the law, that the President need not have followed it, but could have put in force immediately the draft?

Mr. ORTH. I do not know, sir; I can only state——

Mr. HARRISON (interposing). Well, I understood you to say that the reading of the provision that authorized the President to raise

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e first 500,000 by the volunteer system, and the second 500,000 the volunteer system, was in substantially the same language as authority conferred on the President for raising these four isions by the volunteer system, commonly known as the Roosevelt ision. Now if the President ignored section 7 of the law, pro- ing for raising by the volunteer system of these four divisions, place Mr. Roosevelt at the head of them, then couldn't he with al propriety have ignored the provisions of the law for raising e 500,000 by the volunteer system?

Mr. ORTH. He could have done so, sir.

Mr. HARRISON. He could.

Mr. ORTH. But I then believed, and still believe, that the man- ate of the Congress of the United States to the President, if the ll had been passed without the excision of the volunteer paragraph, ould have forced the President—morally forced the President— > make a thorough try out of the volunteer system.

Mr. HARRISON. Why wouldn't it have forced the President to have aised those four divisions by the volunteer system and to put Col. Roosevelt in command of them?

Mr. ORTH. Because the one is merely an authorization to the President to raise volunteers.

Mr. HARRISON. Read what the other is and see if it isn't an au- thorization.

Mr. ORTH. May I have a copy of the bill, with the amendments— showing the amendments——

Mr. HARRISON. Yes (handing copy of bill to witness). Here is the way this provision reads:

> Third. That the President be and he is hereby authorized to call for 100,000 volunteers.

Merely granting authority that he may call for them.

Mr. ORTH. May I read it, sir?

Mr. HARRISON. Yes, you may read it all. I thought that was the proposition you wanted to see. You said one was merely an au- thority.

Mr. ORTH (after examining papers). This provides further— which the Roosevelt paragraph does not provide—for the apportion- ing of the Volunteer Army among the various States and Territories and the District of Columbia, according to population.

Mr. HARRISON. That makes no difference with the authority granted to the President to raise it, though, does it, Mr. Orth?

Mr. ORTH. No, sir.

Mr. HARRISON. That is an immaterial allegation, isn't it?

Mr. ORTH. But it involves the passage of a great deal of time and the not getting of an Army promptly.

Mr. HARRISON. In other words you could have gotten four divisions under the Roosevelt amendment much quicker than you could have gotten them under the Dent amendment, is that right?

Mr. ORTH. Yes.

Mr. HARRISON. And the President ignored the Roosevelt amend- ment, didn't he?

Mr. ORTH. He did, sir.

Cr. HARRISON. It was not mandatory, was it?

Mr. ORTH. No, sir.

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Mr. HARRISON. And the Dent provision in this bill that the Ka amendment proposed to strike out was not mandatory, was it? merely conferred on the President authority to raise them that w Isn't that true?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Now, do you think it is a fair construction, th to have placed in this chart of yours that No. 8, saying that t Kahn amendment provided for the raising by conscription of t necessary army to give effect to the declaration of war?

Mr. ORTH. I think it was, sir, for several reasons. First of that Congress unquestionably, by its vote on that amendment, in cated whether or not it was in favor of a volunteer system, a eventually—and that the act was so worded that Congress mer evaded its responsibility on the subject, instead of saying definit and absolutely that it should be done, forced the decision and selection upon the President.

Mr. HARRISON. Don't you think that it would have been fair if y had placed another number in there and given the vote of Memb of Congress on the final passage of the selective draft law?

Mr. ORTH. It would have been more informatory, but would have been any fairer as showing the line up of Members of Congr in their attitude towards volunteering and conscription.

Mr. HARRISON. Don't you know there were a great many men w voted against the Kahn amendment, who voted for the passage the selective draft law?

Mr. ORTH. I do, sir, but they showed by their first vote——

Mr. HARRISON (interposing). But you did not?

Mr. ORTH (interposing). Pardon; I did not finish my answ I do; but they showed by their first vote that they desired to em culate the conscription act.

Mr. HARRISON. Why did they show by their vote that they desi to emasculate the conscription act, when the conscription act p vided for conscription; provided for the drafting of men, with o a provision in there giving the President the authority, if deem it necessary, to raise 500,000 by the volunteer system?

Mr. ORTH. That is only under certain circumstances, which volved considerable delay and danger to the country, in my opini

Mr. HARRISON. Why did it embody any danger to the count when the President had the right at any moment to discard the v unteer provisions of the selective-draft law and apply the select draft?

Mr. ORTH. He had the right, but if the Congress of the Uni States had passed a bill—if the representatives of the people of United States had passed a bill directing the President to try v unteering before trying conscription, that would have been a m date from the people through their representatives to the Presid that he must go on with volunteering before he went on to c scription.

Mr. HARRISON. Why did he ignore—why wasn't it a mandate fr the people to their representatives, to the President to raise four visions and put Col. Roosevelt at the head of them?

Mr. ORTH. Because the language of the seventh paragraph, wh you were kind enough to show me, merely indicated an authorizati

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the President to do something if he took positive action in the direction of doing it.

Mr. HARRISON. You mean the Roosevelt amendment?

Mr. ORTH. The Roosevelt amendment.

Mr. HARRISON. It said nothing about if he took positive action.

Mr. ORTH. But it said the President is authorized?

Mr. HARRISON. Merely giving him authority to do it; and the provision of the volunteer feature of that act gave him authority to do it, didn't it?

Mr. ORTH. And it implied positive action on his part, in order to give effect and force to the seventh paragraph.

Mr. HARRISON. Where does it say that in the bill?

Mr. ORTH. It doesn't say that.

Mr. HARRISON. Why do you persist in putting that in, when you know it isn't in there, Mr. Orth?

Mr. ORTH. Then I may qualify it by saying that is my opinion.

Mr. HARRISON. Well, there is nothing in there to that effect, is there?

Mr. ORTH. Nothing in it which says anything about positive action; no, sir.

Mr. HARRISON. And if the President could have ignored the provision touching the proposition of raising volunteers, he could equally have ignored provisions touching raising 500,000 by the volunteer system, couldn't he?

Mr. ORTH. Technically he could.

Mr. HARRISON. Well, I am not talking about technically. As a matter of fact, he could, couldn't he? You know he could, don't you, Mr. Orth?

Mr. Orth. I don't believe that he could.

Mr. HARRISON. Why couldn't he? If he ignored the provisions of the law for raising four divisions under Col. Roosevelt, why couldn't he have ignored the law in raising 500,000 men under the volunteer system? They were both merely giving him authority to do it?

Mr. ORTH. Because, sir, as I have already explained, a majority vote in the Congress of the United States, properly under the law, should be regarded by everybody as a mandate of the people of the United States.

Mr. HARRISON. Why shouldn't the President have regarded it as a mandate from the people of the United States in raising the four divisions of practically 100,000 men for Col. Roosevelt?

Mr. ORTH. Because, Congress, instead of definitely instructing the President to do it, merely gave him permissional authority to do it.

Mr. HARRISON. Did the Congress definitely instruct him to do it in the other instance, or give him that authority greater than in the Roosevelt provision?

Mr. ORTH. Will you read that question, please.

(The reporter read the question as above recorded.)

Mr. HARRISON. You know they are both the same, don't you, Mr. Orth?

Mr. ORTH. I don't believe them to be the same, Senator.

Mr. HARRISON. I want you to read them again. I showed them to you. Read them again and just tell me where the difference is.

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because we don't want to do anybody an injustice. Haven't you read those laws before?

Mr. ORTH. I have, sir.

Mr. HARRISON. Haven't you studied them and analyzed them?

Mr. ORTH. I have.

Mr. HARRISON. Well, then, aren't you in a position to tell this committee, as an expert, as chairman of the congressional campaign committee of the Security League, armed with authority to tell the people of the United States on these most important questions of preparedness and war, just what those provisions are?

Mr. ORTH. I have done so to the very best of my ability.

Mr. HARRISON. Yet you persist that the provisions of the law giving the authority to the President to raise the 500,000 is stronger and more mandatory than the provision of the law that gave the President the authority to raise four divisions for Col. Roosevelt.

Mr. ORTH. Why, I insist that it would have been, had it been left in the bill.

Mr. HARRISON. I am not asking you what it would have been, but I am asking you whether it is any stronger.

Mr. ORTH. It was not, in the bill.

Mr. HARRISON. Not in the bill?

Mr. ORTH. No.

Mr. HARRISON. Then the provisions are the same, are they, and if the President could have ignored one he could have ignored the other, couldn't he?

Mr. ORTH. I am sorry that I am not following you as well as I might, Senator.

Mr. HARRISON. Well, it may be because I don't express myself well, I presume.

Mr. ORTH. It may also be because of my desire to answer the questions, and my difficulty in absorbing them as they come out.

Mr. HARRISON. The point I was trying to make was this, sir, that the provision upon volunteering was not in the bill as passed; the provision about the Roosevelt division was in the bill as passed. Now, the thought about one is entirely hypothetical; the thought about the other is positive. You have got to put the same construction on one as the other, as if the language is the same, haven't you? If the President ignored the provision touching the raising of four divisions for Col. Roosevelt after the law had passed, couldn't he with equal force have ignored the provision for raising the 500,000 men under the voluntary system under the provisions embodied in the Dent bill?

Mr. ORTH. He could have done so if the provisions were exactly the same.

Mr. HARRISON. It has taken me a long time to get that out, hasn't it? Yet, Mr. Orth, you say that those men who voted for the bill that authorized the President to apply the draft whenever he deemed it necessary, they voted wrong, and all those who voted the other way voted right. Is that right?

Mr. ORTH. Yes, sir.

Mr. HARRISON. They were very disloyal to the country.

Mr. ORTH. I simply say that in my opinion they were wrong in doing so, sir.

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Mr. HARRISON. Well, I voted for the conscription act, but I don't have that same view that you do, because it was a very close question. I think I am through for the present.

Mr. JOHNSON. Mr. Browne, will you take the witness?

Mr. BROWNE. Mr. Orth, when you took an inventory of the American Congress, and only found 47 Congressmen that were 100 per cent American—that is a fact, isn't it?

Mr. ORTH. I found that 47 Congressmen had voted right on all the measures included in the chart which the National Security League published.

Mr. HARRISON. Well, those 47 were the only ones that you would have voted for if you had had an opportunity to vote?

Mr. ORTH. No, sir.

Mr. BROWNE. You would have voted for more?

Mr. ORTH. I certainly would have, sir.

Mr. BROWNE. Do you remember giving out a statement in the National Security League Bulletin of September, headed, "A Loyal Congressman," in which you said—or the league's bulletin said:

In line with this viewpoint as to war fitness of a Congressman, the league's congressional campaign committee has just issued a chart giving the record of the votes of all the members of the House of Representatives in the Sixty-fourth and Sixty-fifth Congresses on the eighth principal preparedness and war measures, from the McLemore resolution to the Kahn amendment. The league's committee analyzes the chart by individuals and by States. It shows that of the 374 men who sat in both Congresses, only 47 voted right on all eight measures.

You remember that, don't you?

Mr. ORTH. May I see it, Congressman?

Mr. BROWNE. That is quoted and put in the record. You will find it on page 150 of volume 2 of these hearings.

Mr. ORTH. Will you pardon me a moment until I try to find a copy of the September bulletin?

Mr. BROWNE. Now, I will go on further in that bulletin, right in that same article:

These figures clearly indicate that there is decided room for improvement in the present constitution of Congress, and make an unanswerable argument for the support of the league's campaign for a 100 per cent loyal Congress by all patriotic citizens, irrespective of politics.

Do you remember anything of that kind in the National Security League's bulletin of September?

Mr. ORTH (After consulting National Security League bulletin). Will the Congressman be kind enough to indicate it? (Handing bulletin to Mr. Browne.)

Mr. BROWNE (indicating). It is right there. I have quoted exactly from that article. The last paragraph I read was this:

These figures clearly indicate that there is decided room for improvement in the present constitution of Congress, and make an unanswerable argument for the support of the league's campaign for a 100 per cent loyal Congress by all patriotic citizens, irrespective of politics.

That is there, isn't it?

Mr. ORTH. Yes, sir.

Mr. BROWNE. You heard Mr. Menken's testimony on it, didn't you?

Mr. ORTH. Practically all of it.

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Mr. BROWNE. You heard Mr. Menken state about the Hay bill being filled with "treasonable pork," did you?

Mr. ORTH. I saw that passage in the testimony: yes, sir.

Mr. BROWNE. That was brought out by Representative Saunders. Now, the instruction you gave to the people of the United States was to elect Representatives that, according to your charts, were 100 per cent loyal, 100 per cent American.

Mr. ORTH. I can't recall, sir, just where I made those suggestions in our propaganda.

Mr. BROWNE. I just read you from your bulletin. You made that statement in your bulletin?

Mr. ORTH. Yes, sir. Congressman, may I say that I have been studying this as well as I could while attempting to listen to your question, to see whether this was something which I had written, or which had been written by Mr. Harvey, but I don't think that would make any material difference.

Mr. BROWNE. It was in the Security League's bulletin?

Mr. ORTH. Yes, sir.

Mr. BROWNE. And that voiced the sentiment of the Security League, didn't it?

Mr. ORTH. Partially, sir.

Mr. BROWNE. Well, didn't it wholly?

Mr. ORTH. No; I don't think so, if you are seeking to find my attitude of mind.

Mr. BROWNE. Then you sent out a bulletin to the people of the United States that did not fully represent the opinions and judgments of the National Security League?

Mr. ORTH. No; that is not exactly it. A bulletin was sent out which did not reflect all which the National Security League thought in connection with the subject of its propaganda.

Mr. BROWNE. Well, it reflected what the organization as an organization thought, didn't it?

Mr. ORTH. Partly so, only.

Mr. BROWNE. I don't understand what you mean by "partly."

Mr. ORTH. I will explain. The National Security League in its presentations from the chart did not mention, did not refer, to approximately, as I remember it—I want to give you the exact figures—as I understood your initial question you were trying to find out how many men the National Security League attempted to condemn or otherwise. Now, in the digest of the chart which we sent out to the people of the country we referred, out of the 374 men who sat in the Sixty-fourth and Sixty-fifth Congresses, we referred to seven men who voted wrong on all eight measures; 22 men who voted wrong on seven; 30 men who voted wrong on six; 58 men who voted wrong on five; and 47 men who voted right on eight; making a total of 164 out of 374, thus leaving 183 not referred to in that presentation. In the same way——

Mr. BROWNE (interposing). Well, now, you are going a long distance away from my question. I ask you again whether the literature sent out by the National Security League, and the only paper gotten out by the National Security League, which was the National Security League's bulletin, did not make the statement that I have *just* read to you?

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Mr. ORTH. It did.

Mr. BROWNE. And that was to the effect that it shows that of 374 n who sat in both Congresses, only 47 voted right on all eight asures?

Mr. ORTH. Yes, sir.

Mr. BROWNE. It further said:

These figures clearly indicate that there is decided room for improvement in present constitution of Congress, and make an unanswerable argument for support of the league's campaign for a 100 per cent loyal Congress by all triotic citizens irrespective of politics.

Mr. ORTH. Yes, sir.

Mr. BROWNE. You stated, I believe, that you did not take into con-deration whether a Congressman voted for or against the first evenue bill, and the only revenue bill that has been passed by Con-ress.

Mr. ORTH. You refer to the revenue bill of 1917?

Mr. BROWNE. To the revenue bill immediately after we went into ar.

Mr. ORTH. It doesn't matter; the answer is yes, anyhow.

Mr. BROWNE. And you knew that of the people, the Representatives who voted against that first revenue bill, 40 per cent of them were he 47 Representatives that you had on your chart as voting right, on ll measures?

Mr. ORTH. Yes, sir. At least I didn't know it at the time, sir. I have learned it at this hearing.

Mr. BROWNE. Did you take into consideration, in soliciting funds, how the men who contributed toward the support of your organization stood on the question of taxation?

Mr. ORTH. No, sir; I did not. I have described this morning—I think you were here—how I solicited funds, and I believe that every

---

Mr. BROWNE (interposing). You have answered the question.

Mr. ORTH. May I not finish my reply, sir.

Mr. BROWNE. Well, if you care to.

Mr. ORTH. And I believe that every decent American at that time and at any time should be glad to give every cent he possibly can toward the Government of the United States for the prosecution of the war and the activities connected with it.

Mr. BROWNE. In your bulletions you stated that you wanted dollar subscriptions and subscriptions from all over the country—membership subscriptions.

Mr. ORTH. Yes, sir.

Mr. BROWNE. Now, returning to that, you got 93 per cent of the amount that was subscribed in contributions of over $100?

Mr. ORTH. Why, that has been shown by the figures which the chairman read at the opening of the session this morning. I desire to say that so far as the——

Mr. BROWNE (interposing). You have answered my question, Mr. Orth. Now I will get the exact figures (consulting papers). These figures were called to your attention this morning by Representative Johnson when he stated:

Total donations, exclusive of remittances from branch organizations, etc., of $100 or more, as shown by the books, amount to $375,045. Of this sum, donations to the amount of $24,890 appear to have been made from points outside

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of New York City, leaving a total donated by persons or corporations in York City of $350,155. This makes 93⅞ per cent donated in New York and 6⅛ per cent donated outside of New York City.

Mr. ORTH. Yes, sir.

Mr. BROWNE. Then further:

If we include the $50,000 donation, pledged, but not yet paid, of the Car Corporation, the total donations of $100 or more would aggregate $425,045, deducting therefrom the donations outside of New York City, of $24,890, w leave balance donated by New York City, of $400,155. This would make 94 cent of the donations of $100 or over from New York City, and 5⅞ per thereof outside of New York City.

In the above calculation the anonymous donations, aggregating $7,000, treated as being from New York City.

Now, did you know, Mr. Orth, that a great many of these h contributors to the National Security League were men who wer rectly interested in profits from products furnished during this furnished the Government by men like manufacturers of munit of war and such things?

Mr. ORTH. Why, in the same way, sir, as I believe the majo of the American citizens were deriving some part of their inc from war work. Since the country has been at war, I believe, t men were.

Mr. BROWNE. But not to any greater extent, you think?

Mr. ORTH. I imagine that there were men who made more tha average amount of income; yes, sir.

Mr. BROWNE. Now, the Carnegie Corporation, they contrib $150,000 and paid in $100,000, didn't they?

Mr. ORTH. I only know that, sir, from the testimony I have h here.

Mr. BROWNE. Well, that is a fact, an admitted fact.

Mr. ORTH. I don't doubt that there is any question about it.

Mr. BROWNE. Then why don't you admit it? Now you know that corporation, the Carnegie Corporation, is incorporated $125,000,000?

Mr. ORTH. No, sir; I do not.

Mr BROWNE. If it states it in the Directory of Directories, would believe that to be true, wouldn't you?

Mr. ORTH. I would, sir.

Mr. BROWNE. Do you know whether or not a great deal of is in the United States Steel Corporation, a great deal of the a of the Carnegie Corporation?

Mr. ORTH. I have no idea whatsoever, what that $125,000,00 composed of.

Mr. BROWNE. J. P. Morgan & Co., according to the figures g here, and admitted, contributed $2,300 to the National Secu League. Do you know whether J. P. Morgan is a director in United States Steel Corporation?

Mr. ORTH. I believe that he is, sir. I am almost certain of it.

Mr. BROWNE. Well, you are correct about that. Now I will r you from the Federal Trade Commission Report, in which it st in regard to the United States Steel Corporation:

In 1917 the steel companies made abnormal profits. The figures as to the income of the United States Steel Corporation are given as follows:

1914	$46,520,
1916	204,026,
1917	478,284,

After paying all their taxes in 1917 they had a net profit of $244,738,3

Now I wish to introduce to you, Mr. Orth, a statement taken from e Directory of Directories.

Mr. ORTH (interposing). Pardon me, Congressman, is there any estion in connection with what you state?

Mr. BROWNE. I am just telling you this: I have not finished my estion as to your heavy subscribers to the National Security eague, and you can look these over and verify them during some me before we finish the examination, and if there are any changes r corrections that you wish to make, I wish you would make them.

Mr. ORTH. I am not competent to make them, sir.

(The paper referred to follows:)

arnegie Corporation, New York, Apr. 8, 1918	$50,000
arnegie Corporation, New York, Aug. 29, 1918	50,000
	100,000

Andrew Carnegie, 2 East Ninety-first Street, New York.—Carnegie Corporation of New York (Inc.), president and trustee; Keokuk & Hamilton Bridge Co., president and director.

Mr. BROWNE. Now, J. P. Morgan, 23 Wall Street, New York. This shows that he is a director in seven corporations, among them director in the United States Steel Corporation, Northern Pacific Railway, New York and Harlem Railroad Co., International Mercantile Marine Co., First Security Co., of the City of New York, Aetna Insurance Co.

(Mr. Browne submitted the following paper:)

J. P. Morgan, 23 Wall Street, New York, May 19, 1916	$1,000
J. P. Morgan & Co., Wall Street, New York, Aug. 21, 1917	1,300
To cover expense of Prof. Smith's publication	2,300

Aetna Insurance Co., director; First Security Co., of City of New York, director; International Mercantile Marine Co., director; New York and Harlem Railroad Co., director; Northern Pacific Railway Co., director; Pullman Co., director; United States Steel Corporation, director; total 7.

Now, you received a contribution of $35,000 from John D. Rockefeller?

Mr. ORTH. I have so heard it testified here, but I have no other knowledge of it.

Mr. BROWNE. 26 Broadway, New York. I will submit a statement of the corporations that Mr. Rockefeller is interested in.

(The paper referred to follows:)

John D. Rockefeller, New York, Sept. 25, 1917	$10,000
John D. Rockefeller, 26 Broadway, Apr. 9, 1918	25,000
	35,000

J. D., jr., 26 Broadway.—Colorado Fuel & Iron Co., director; Manhattan Railway Co., director; Merchants Fire Insurance Corporation of New York, director.

Nicholas F. Brady, contributed to the National Security League $4,500, according to the testimony here. You heard that testimony, didn't you?

Mr. ORTH. I heard that.

Mr. BROWNE. I wish to submit a statement taken from the Directory of Directories showing that Nicholas F. Brady is a director in a total of 50 large corporations, among them the United States Rubber

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Co., and reading from the report made by that corporation the pre-war profits in the United States Rubber Co.—and what I mean by "pre-war profits" were 1911, 1912, and 1913—were $5,731,677. The war profits were $11,226,208. The excess profits on that one corporation over normal profits are $5,494,531.

(The paper referred to follows:)

Nicholas F. Brady, 54 Wall Street, January, 1915	$1,000
J. C. Brady, 54 Wall Street, July 15, 1915	1,000
Nicholas F. Brady, 54 Wall Street, July 10, 1918	2,500
	$4,500

Nicholas F. Brady.—New York Edison Co., director; American Philippine Co., director; Astoria Light, Heat & Power Co., director; Brooklyn Heights Railroad Co., director; Brooklyn Queen County & Suburban Railroad Co., director; Brooklyn Rapid Transit Co., chairman board of directors; Central Union Gas Co., director; Chattanooga Estate Co., director; Coney Island & Gravesend Railway Co., director; Consolidated Car Heating Co., director; Consolidated Gas Co. of New York, director; Consolidated Gas, Electric Light & Power Co. of Baltimore, director; Consolidated Telegraph & Electric Subway Co., director; Durham Coal & Iron Co., director; East River Gas Co. of Long Island City, director; Edison Electric Illuminating Co. of Brooklyn, president and director; Edison Light & Power Installation Co., director; Electric Storage Battery Co., Philadelphia, director; Electric Testing Laboratories (Inc.), director; General Rubber Co., director; Helderberg Cement Co., director; Kings County Electric Light & Power Co., president and director; Leslie-Judge Co., director; Manhattan Refrigerator Co., director; Missouri Pacific Railroad Co., director; Morristown Trust Co., director; Mountain Land Co., director; Municipal Gas Co., Albany, president and director; Nassau Electric Railway Co., president and director; New York & Queens Electric Light & Power Co., director; New York & Queens Gas Co., director; New York Air Brake Co., director; New York Carbide & Acetylene Co., director; New York Consolidated Railroad Co., director; New York Municipal Railway Corporation, director; New York Mutual Gas Light Co., director; Permutit Co., director; Rubber Goods Manufacturing Co., director; St. Louis, Iron Mountain & Southern Railway Co., director; South Brooklyn Railway Co., director; Thompson Houston Electric Light Co. of Yonkers, director; Transit Development Co., chairman of the board of directors; Union Carbide Co., director; United Electric Light & Power Co., director; United States Cast Iron, Pipe & Foundry Co., director; United States Rubber Co., director; United States Tire Co., director; Visayan Refining Co., director; Westchester Lighting Co., director; Yonkers Electric Light & Power Co., director; total, 50.

N. F. Brady, United States Rubber Co.—Pre-war profits, $5,731,677; war profits, $11,226,208; excess profits, $5,494,531.

Mr. BROWNE. H. C. Frick, Frick Building, Pittsburgh, and also New York City. He contributed $3,500 to the National Security League.

Mr. ORTH. I heard something about that; some testimony, sir.

Mr. BROWNE. Mr. H. C. Frick is one of the directors in the United States Steel Corporation, and eight other large corporations, including many large railroad companies.

(The statement regarding Mr. Frick follows:)

H. C. Frick, Frick Building, Pittsburgh, October 23, 1915	$1,000
H. C. Frick, New York City, February 13, 1917	2,500
	3,500

H. C. Frick, 1 East Seventieth Street, and Pittsburgh, Pa.—Atchison, Topeka & Santa Fe Railroad Co., director; Chicago & Northwestern Railway Co., director; Mellon National Bank, Pittsburgh, Pa., director; Norfolk & Western Railway Co., director;

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ennsylvania Railway Co., director; Philadelphia & Reading Coal Iron Co., director; Reading Co., director; Union Trust Co. of ittsburgh, director; United States Steel Corporation, director; tal, 9.

STEEL.

The Federal Trade Commission further states as follows:

In 1917 the steel companies made abnormal profits. The figures given as to he net income of the United States Steel Corporation are given as follows:

914	$46,520,407
916	294,026,564
917	478,204,343

After paying all their taxes in 1917 they had a net profit of $244,738,908.

Arthur Curtis James, 99 John Street, New York, N. Y., contributed to the National Security League $29,750.

I wish to submit a statement taken from the Directory of Directories, showing that Arthur Curtis James, 99 John Street, New York, is a director in 42 corporations, among them being the Detroit Copper Mining Co. of Arizona, and other mining companies; also he is vice president and director of Phelps-Dodge & Co. (Inc.).

Further I wish to show that the average prewar profits of Phelps-Dodge & Co., one of these corporations of which he is a member, amounted to $7,442,399; the war profit amounted to $21,974,263; excess profits over normal profits $14,531,864 annually.

(The statement regarding Arthur Curtis James is as follows:)

Arthur Curtis James, 99 John Street, New York, Mar. 19, 1915	$250
Arthur Curtis James, 99 John Street, New York, Dec. 6, 1915	1,000
Arthur Curtis James, 99 John Street, New York, Apr. 1, 1916	5,000
Arhtur Curtis James, 99 John Street, New York, July 8, 1916	2,500
Arthur Curtis James, 99 John Street, New York, Apr. 17, 1917	1,000
Arthur Curtis James, 99 John Street, New York, July 12, 1917	10,000
Arthur Curtis James, 99 John Street, New York, Feb. 14, 1918	2,000
Arthur Curtis James, 99 John Street, New York, Apr. 5, 1918	2,000
Arthur Curtis James, 99 John Street, New York, July 24, 1918	2,000
Arthur Curtis James, 99 John Street, New York, Sept. 20, 1918	2,000
Arthur Curtis James, 99 John Street, New York, Nov. 20, 1918	2,000
	29,750

Alamogordo & Sacramento Mountain Railway, president and director; Alamogordo Lumber Co., vice president and director; Almagree Mining Co., director; American Brass Co., director; Ansonia Clock Co., director; Burro Mountain Copper Co., vice president and director; Dawson Railway Co., president and director; Chicago, Rock Island & Pacific Railroad Co., director; Commercial Mining Co., director; Copper Queen Consolidated Mining Co., vice president and director; Curtiss Securities Co., president and director; Dawson Fuel Sales Co., vice president and director; Dawson Railway & Coal Co., vice president and director; Detroit Copper Mining Co. of Arizona, director; El Paso & Northeastern Co., vice president and director; El Paso & Northeastern Railway Co., president and director; El Paso & Rock Island Railway, president and director; El Paso & Southwestern Co., vice president and director; El Paso & Southwestern Railroad Co., vice president and director; First National Bank of New York; First Security Co. of the City of New York, director; Golden Hill Corporation, vice president and director; Hanover National Bank of the City of New York, director; Montezuma Copper Co., vice president and director; Morenci Southern Railway Co., vice president and director; Nacozari Railroad Co., vice president and director; New York Trust Co., trustee; Northern Pacific Railway Co., director; Old Dominion Co., director; Petpeswick Mining Co., president and director; Phelps, Dodge & Co. (Inc.), vice president and director;

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Phelps-Dodge Mercantile Co., vice president and director; R. Hoe & Co., director; Rock Island Co., director; Southern Improvement Co. of New York, director; Southwestern & International Express Co., vice president and director; Stag Canon Fuel Co., vice president and director; Texas & Western Telephone & Telegraph Co., vice president and director; Union Theological Seminary, director; United Globe Mines, vice president and director; United States Trust Co. of New York, trustee; total, 42.

Phelps, Dodge Co., Arthur Curtis James, vice president.—Average prewar profits, $7,442,390; war profits, $21,974,203; excess profits, $14,531,864.

Mortimer L. Schiff and Jacob Schiff, 52 William Street, New York, N. Y., were contributors to the National Security League to the amount of $3,250, according to the testimony here, according to the books.

Mr. ORTH. I think I heard that testified to, sir.

Mr. BROWNE. Mortimer L. Schiff is one of the directors of the Western Union Telegraph Co., Union Pacific Railroad Co., Oregon Short Line Railroad Co., Oregon Railroad & Navigation Co., and many other corporations.

Jacob H. Schiff is a director of the Wells-Fargo & Co., and the Western Union Telegraph Co., and many other companies. I wish to introduce that statement.

(The statement regarding Mortimer L. Schiff and Jacob H. Schiff is as follows:)

Mortimer L. Schiff, 52 William Street, New York, Apr. 23, 1915	$250
Mortimer L. Schiff, William and Pine Streets, New York, Apr. 26, 1916	1,000
Jacob Schiff, William and Pine Streets, New York, May 12, 1916	500
Mortimer L. Schiff, 52 William Street, New York, Feb. 7, 1917	250
Mortimer L. Schiff, William and Pine Streets, New York, Apr. 3, 1917	500
Jacob H. Schiff, William and Pine Streets, New York, Nov. 20, 1917	500
Jacob Schiff, 52 William Street, New York, June 5, 1918	250
	3,250

Mortimer L. Schiff, of the firm of Kuhn, Loeb & Co., 52 William Street.—Chattel Loan Society of New York (Inc.), vice president and director; Fidelity Bank, director; Long Island Motor Parkway Association (Inc.), director; Metropolitan Park Association, director; New York Foundation, director; Oregon Railroad & Navigation Co., director; Oregon Short Line Railroad Co., director; Provident Loan Society, secretary and trustee; Union Pacific Railroad Co., director; United States Mortgage & Trust Co., director; United States Safety Deposit Co., director; Western Union Telegraph Co., director.

Jacob H. Schiff.—Baron De Hirsch Fund, vice president and director; Central Trust Co. of New York, director; Chamber of Commerce of the State of New York, member of executive committee; National Employment Exchange, director; New York Foundation, director; Wells, Fargo & Co., director; Western Union Telegraph Co., director.

H. H. Rogers, 26 Broadway, New York, contributed $1,000 to the National Security League, didn't he, Mr. Orth?

Mr. ORTH. I heard it so testified, sir.

Mr. BROWNE. Yes, sir; he is director of many corporations, a list of which I give in this exhibit, which I will introduce, among them the Almagamated Copper Co. and the Anaconda Copper Mining Co.

The Anaconda Copper Mining Co. received prewar average profits of $11,741,185; the war profits of the Anaconda Copper Mining Co were $57,941,834; the excess war profits over prewar average $46,200,649, just giving you one out of the many corporations that profit very much by war contracts.

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(The statement regarding H. H. Rogers is as follows:)

H. H. Rogers, 26 Broadway, New York (Standard Oil), June 18, 1915	$500
H. H. Rogers, 26 Broadway, New York, Feb. 8, 1917	500
	1,000

Almagamated Copper Co., director; Anaconda Copper Mining Co., director; Atlantic Coast Electric Railway, treasurer and director; Atlas Tack Co., secretary, treasurer, and director; Brooklyn Union Gas Co., director; Mechanics & Metals National Bank of the City of New York, director; Shone Co., director; United Metals Selling Co., director; Virginia Railway, director; total, 9.

Anaconda Copper Mining Co.—Prewar average profits, $11,741,185; war profits, $57,941,834; excess war profits over prewar average, $46,200,649.

I herewith give a list of a number of steel companies and the profits they made in 1917, according to the United States Federal Trade Commission report of 1918, on page 9:

	Profits, per cent.
Alan Wood, Iron & Steel Co	52.63
Allegheny Steel Co	78.92
American Tube & Stamping Co	40.03
Central Iron & Steel Co	71.35
Eastern Steel Co	30.24
Forged Steel Wheel Co	105.40
Follansbee Bros. Co	112.48
Nagle Steel Co	319.67
West Penn Steel Co	159.01
West Leechburg Steel Co	109.05

OTHER METALS.

The commission further finds the average profit in the copper industry has more than doubled since the war; zinc, 95 per cent; nickel, 30 per cent; sulphur, as high as 200 per cent; lumber, the report states, the margin of profit per thousand board feet in 1917 was nearly double that in previous years. In regard to coal, the report states the profits in 1917 were often two or three times the normal return.

Charles Hayden, 25 Broad Street, New York, N. Y., contributed $2,500 to the National Security League. According to the Directory of Directories he is director in 26 large corporations, among them the Chino Copper Co., the Continental Zinc Co., the Nevada Consolidated Copper Co., Pierce Oil Corporation, the Ray Consolidated Copper Co., and the Utah Copper Co.

Now, take the Nevada Consolidated Copper Co., one of these corporations. Its profit for the prewar period amounted to $3,647,035; the profits during the war per annum were $15,000,051, or an excess of the war profits over the other normal profits were $11,354,700, or over three times as much as normal profits.

It also shows that the Utah Copper Co., of which Mr. Hayden was a director, had prewar profits of $8,678,491; its war profits were $39.738.675, or excess net income over prewar average of $32.005.240.

The Chino Copper Co., of which Mr. Hayden was a director, had prewar profits of $1,772.421; its war profits were $12,527,948; or its excess profits were $10,755,527 more than normal profits—about

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seven times as great as normal profits. I will submit that statement.

(The statement regarding Charles Hayden is as follows:

Charles Hayden, 25 Broad Street, New York, Feb. 23, 1918---------- $1,000
Charles Hayden, 25 Broad Street, New York, July 24, 1918---------- 1,000
Charles Hayden, 25 Broad Street, New York, Sept. 20, 1918---------- 500

2,500

Charles Hayden, of the firm of Hayden, Stone & Co., 25 Broad Street, and Boston, Mass.—Alaska Gastineau Mining Co., president and director; Alaska Gold Mine Co., president and director; American Pneumatic Service Co., director; Bingham & Garfield Railway Co., director; Boston & Worcester Street Railway Co., director; Boston & Worcester Electric Co., member of executive committee and trustee; Boston Opera Co., treasurer and director; Boston Stock Exchange, vice president and member of governing committee; Chicago, Rock Island & Pacific Railway Co., director; Chino Copper Co., vice president and director; Continental Zinc Co., director; Equitable Trust Co. of New York, trustee; First National Bank of Denver, director; Lamson Store Service Co., director; McCornick & Co., Salt Lake, director; National Shawmut Bank, Boston, director; Nevada Consolidated Copper Co., director; Nevada Northern Railway Co., director; Pierce Oil Corporation, director; Ray & Gila Valley Railway Co., director; Ray Consolidated Copper Co., vice president and director; Twin City Rapid Transit Co., director; Utah Copper Co., vice president and director; Twin City Rapid Transit Co., director; Utah Copper Co., vice president and director; Utah Power & Light Co., director; Utah Securities Corporation, director; Utah State National Bank, director; total, 26.

See Copper, zinc, men all paid immense income taxes.

Charles Hayden, 25 Broad Street, New York, contributed $2,500.

Director in 26 corporations, among them:

Nevada Consolidated Copper Co., whose average profits for 1911, 1912, 1913, prewar, amounted to $3,647,350; and for 1916 amounted to $15,000,051; or $11,351,700 excess net income over prewar average, nearly five times as large profit.

Utah Copper Co.—Prewar profits, $8,678,491; profits for 1916, $39,738,675, or excess net income over prewar average of $32,005,240, or over four times average prewar profits.

Chino Copper Co.—Prewar profits, $1,772,421; profits 1916, $12,527,948, or excess over prewar average $10,755,527, or over seven times normal profits.

The above figures are official, being those published in the companies' own reports.

Simon Guggenheim, Daniel Guggenheim, and Murray Guggenheim, 120 Broadway, New York, N. Y., contributed to the support of the National Security League $3,750 in the aggregate, according to the testimony and according to your books here. Is that correct, Mr. Orth?

Mr. ORTH. I can not say whether it is correct according to the books, sir, because I have never seen it.

Mr. BROWNE. But you know it is about that amount?

Mr. ORTH. I have heard the testimony given the committee.

Mr. BROWNE. It shows that Simon Guggenheim is a director of a number of very large corporations, including the American Smelting & Refining Co.; and that Murray Guggenheim is also director in the American Smelting & Refining Co., besides other large corporations.

The prewar profit of the American Smelting & Refining Co. were $9,271,565; the war profits were $23,252,248; and the excess profits were $12,258,082. It does not give the last year. I do not give those which were considerably more than these profits.

Mr. JOHNSON. Mr. Browne, you are filing each one of those statements as an exhibit, aren't you?

Mr. BROWNE. Yes.

Mr. JOHNSON. I want to be sure that those statements are put in the record.

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Mr. BROWNE. It also shows that the Guggenheims are very strongly interested in copper and zinc and other minerals.

The statement regarding Simon Guggenheim, Daniel Guggenheim, and Murray Guggenheim is as follows:

Simon Guggenheim, 120 Broadway, New York, Nov. 27, 1915	$1,000
Murray Guggenheim, 120 Broadway, New York, Dec. 7, 1915	250
Daniel Guggenheim, 120 Broadway, New York, Nov. 16, 1917	2,500
	3,750

Simon Guggenheim.—American Smelting Securities Co., chairman of board of directors; American Smelting & Refining Co., chairman of board of directors; Braden Coffee Co.; Chile Copper Co.; Guggenheim Exploration Co., director.

Daniel Guggenheim.—Same as above, and the following in addition: Gimbel Bros., Philadelphia, treasurer and director; Mexican Union Railway, director; Nevada Consolidated Copper Co., director; Nevada Northern Railway Co., director; New River Collieries Co., director; Sidney Blumenthal & Co., director; U. S. Zinc Co., director; Utah Copper Co., director; Yukon Gold Co., treasurer and director.

Murray Guggenheim.—American Smelting & Refining Co.: Prewar profits, $9,271,565; war profits, $23,252,248; excess profits, $12,258,082.

Cleveland H. Dodge, New York, was a contributor. I forget just the amount of his contribution, but I think $100, rather a small contribution.

Mr. ORTH. I think he gave more than that, Congressman.

Mr. BROWNE. Well, I will supply that amount.

Cleveland H. Dodge is president and director according to the "Directory of Directories" of the Phelps, Dodge Co., and also director in 29 other large corporations, among them the Detroit Copper Mining Co., of Arizona; the Copper Queen Consolidated Mining Co.; several lumber companies; the Moctezuma Copper Co.

I have given the statement in regard to the war profits of just one of his companies, the Phelps, Dodge Co.

The statement concerning Cleveland H. Dodge is as follows:

Cleveland H. Dodge, New York.—Phelps, Dodge Co., president and director, and director in the following corporations: Alamogordo & Sacramento Mountain Railway, vice-president; Alamogordo Lumber Co.; American Brass Co.; Ansonia Clock Co.; Atlantic Mutual Life Insurance Co., trustee; Buno Mountain Copper Co.; Commercial Mining Co.; Copper Queen Consolidated Mining Co., vice president; Dawson Railway & Coal Co.; Dawson Fuel Co.; Dawson Fuel Sales Co.; Detroit Copper Mining Co. of Arizona, vice president; El Paso & Northeastern Co.; El Paso & Northeastern Railroad Co.; El Paso & Rock Island Railway Co., president; El Paso & Southwestern Co.; El Paso & Southwestern Railroad Co.; Farmers Loan & Trust Co.; Golden Hill Corporation, president; Montezuma Copper Co.; Morenci Southern Railway Co.; Nacozari Railroad Co.; National City Bank of New York; New York Life Insurance & Trust Co., trustee; Old Dominion Company of Maine, director; Phelps-Dodge Mercantile Co.; Stagdanon Fuel Co.; United Globes Mine, vice president and director; total, 30 corporations.

William Hamlin Childs, and Eversley Childs, of 17 Battery Place, New York, contributed in the aggregate, according to the testimony here, and according to the books, $7,500. They were directors in the United States Leather Co., Union Tanning Co., Central Leather Co., Argentine Central Leather Co., and other corporations.

The Central Leather Co.'s prewar profits were $3,472,804; its war profits were $15,489,201; its excess profits were $12,016,397.

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The statement regarding William Hamlin Childs and Eversley Childs is as follows:

Eversley Childs, 17 Battery Place, New York, Sept. 3, 1915	$1.[illegible]
Wm. Hamlin Childs, 17 Battery Place, New York, Dec. 22, 1915	[illegible]
Eversley Childs, 17 Battery Place, New York, Dec. 30, 1915	1.[illegible]
Wm. Hamlin Childs, 17 Battery Place, New York, June 30 1917	1.[illegible]
Eversley Childs, 17 Battery Place, New York, Oct. 3, 1917	2.[illegible]
Eversley Childs, 17 Battery Place, New York, Nov. 9, 1917	1[illegible]
Eversley Childs, 17 Battery Place, New York, Nov. 28, 1917	1.[illegible]
	7.[illegible]

United States Leather Co., second vice president; Union Tanning Co.; Central Leather Co.; Argentine Central Leather Co., second vice president and director; *Central Leather Co.*—Prewar profits, $3,472,804; war profits, $15,489,[illegible]; excess profits, $12,016, 397.

W. K. Vanderbilt and P. W. Vanderbilt contributed $750 to the National Security League. They are directors in most of the railroad companies of the country. In all they are directors in 38 large corporations, which I offer in evidence as follows:

W. K. Vanderbilt, Grand Central Terminal, New York, June 22, 1915	$2[illegible]
P. W. Vanderbilt, Grand Central Terminal, New York, Jan. 15, 1916	[illegible]
	75[illegible]

Canada Southern Bridge Co., director; Canada Southern Railway Co., director; Chicago & Northwestern Railway, director; Chicago & State Line Railroad Co., director; Chicago, St. Paul, Minneapolis & Omaha Railroad Co., director; Cleveland, Cincinnati & St. Louis Railroad Co., director; Coney Island Jockey Club, director; Detroit River Tunnel Co., director; Detroit, Toledo & Milwaukee Railroad Co., director; Elkhart & Western Railroad Co., director; Fort Wayne, Cincinnati & St. Louis Railroad Co., director; Indiana Harbor Belt Railroad Co., director; Jersey City & Bayonne Railroad Co., director; Lake Erie & Western Railroad, director; Lake Erie, Alliance & Wheeling Railroad Co., director; Long Island Motor Parkway, director; Mahoning Shenango Valley Railroad Co., director; Metropolitan Opera & Real Estate Co., director; Metropolitan Opera Co., director; Michigan Central Railroad Co., director; New Jersey Junction Railroad Co., director; New Theater, president and founder; New York & Harlem Railroad Co., president and director; New York & Northern Railroad Co., director; New York Central Railroad Co., director; New York, Chicago & St. Louis Railroad Co., director; New York State Realty & Terminal Co., director; Niagara Grand Island Bridge Co., director; Niagara River Bridge Co., director; Pittsburgh & Lake Erie Railroad Co., director; Pittsburgh, McKeesport & Youghiogheny Railroad Co., director; Shenango Valley Railroad Co., director; Stewart Railroad Co., director; Sturgis, Goshen & St. Louis Railroad Co., director; Toledo, Canada, Southern & Detroit Railroad Co., director; Wall Kill Valley Railroad Co., director; West Shore Railroad Co., director; Western Transit Co., director; total, 38.

George W. Perkins, 71 Broadway, New York, contributed $750 to the National Security League. He is director in 11 large corporations, among them the United States Steel Corporation, whose excessive profit I have shown to be, I do not say excessive, but whose profits for the year have been shown to be $478,204,343, while in 1914 they amounted to $46,520,407. He is also interested in the International Harvester Co., chairman of the finance committee, and director of the International Harvester Co.

The statement regarding George W. Perkins, is as follows:

George W. Perkins, 71 Broadway, New York, Apr. 24, 1915	$500
George W. Perkins, 71 Broadway, New York, May 15, 1916	250
	750

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Cincinnati, Dayton & Hamilton Railway Co., director; Erie R. R. Co., director; Florida East Coast Railway, director; German Alliance Insurance Co., director; German-American Insurance Co., director; Great Central Dock Co., vice president and director; International Harvester Co., of New York, chairman of finance committee and director; International Mercantile Marine Co., director; New York Botanical Garden, director; New York Trust Co., trustee; United States Steel Corporation, director; total, 11.

STEEL.

The Federal Trade Commission further states as follows:

In 1917 the steel companies made abnormal profits. The figures as to the net income of the United States Steel Corporation are given as follows:

1914	$46,520,407
1916	294,026,564
1917	478,204,343

After paying all their taxes in 1917 they had a net profit of $244,738,908.

Emerson McMillian, 40 Wall Street, New York, contributed to the support of the National Security League, $4,250. He is director, according to the "Directory of Directories," of 14 large corporations that are specified. Among them is the Western Gas Co., the American Light & Traction Co.

The statement regarding Emerson McMillin, is a follows:

Emerson McMillin, 40 Wall Street, New York, Apr. 27, 1915	$500
Emerson McMillin, 40 Wall Street, New York, Jan. 18, 1916	500
Emerson McMillin, 120 Broadway, New York, Mar. 19, 1917	250
Emerson McMillin, 120 Broadway, New York, Apr. 27, 1917	1,500
Emerson McMillin, 40 Wall Street, New York, May 22, 1918	1,500
	4,250

American Light & Traction Co., chairman of board of directors; Binghamton Car Works, director; Capitol City Bank, Columbus, Ohio, director; Common Wealth Power & Light Co., director; Consolidated Gas Co., of New Jersey, director; Detroit City Gas Co., president and director; Grand Rapids Gas Light Co., president and director; Milwaukee Gas Light Co., chairman of board of directors; Muskegon Traction & Lighting Co., director; St. Joseph Gas Co., president and director; San Antonio Gas & Elec. Co., president and director; San Antonio Traction Co., president and director; Southern Light and Traction Co., president and director; Western Gas Co., president and director; total, 14.

J. G. White, 43 Exchange Place, New York, contributed $2,000 toward the support of the National Security League. Mr. White according to the "Directory of Directories" is a director in 18 large corporations, and is chairman of the board of directors of the Municipal and General Securities Co., (Ltd.) of London; also the Netherlands Tramways Corporation; Philippine Railway Co., United Light & Railways Co., and the Cardenas American Sugar Co., the Cayuga Cement Co., and the International Banking Corporation.

The statement regarding J. G. White is as follows:

J. G. White, 43 Exchange Place, New York, Feb. 21, 1917	$1,000
J. G. White, 43 Exchange Place, New York, Feb. 14, 1918	1,000
	2,000

J. G. White & Co., director; Cardenas American Sugar Co., president and director; Cayuga Cement Co., director; Engineering Securities Corp., president and director; Helena Light & Railway Co., director; International Banking Corp., director; Investors Securities Corp., president and director; J. G. White & Co. (Ltd.) of London, chairman of board of directors; J. G. White Engineering Corp., *chairman of* finance committee; Manila Electric Railway

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& Light Co., director; Manila Electric R. R. & Lighting Corp., director; Merchants Association, director; Municipal & General Securities Co. (Ltd.) of London, chairman of the board of directors; Netherlands Tramways Corp., director; Philippine Railway Co., director; Securities Corporation General, director; Southern Utilities Co., director; United Light & Railways Co., director; total, 18.

James B. Ford, 1790 Broadway, New York, contributed to the National Security League $1,000. He is director of 14 large corporations, among them the United States Rubber Co. He is first vice president and director of the United States Rubber Co., whose pre-war profits were $5,731,677, while, in the last statement I could find, 1916, its profits were $11,226,208, or an excess of war profits over normal profits of $5,494,531, or war profits more than double normal profits. He is also interested and a director in the Goodyear's India Rubber Glove Manufacturing Co.; the Lycoming Rubber Co.; the Mayer Rubber Co.; the Rubbers Goods Manufacturing Co.; the United States Tire Co.; and the United Timber Corporation.

The statment regarding James B. Ford is as follows:

James B. Ford, 1790 Broadway, New York, Apr. 27, 1915 ..... $500
James B. Ford, 1790 Broadway, New York, Oct. 16, 1915 500

1,000

United States Rubber Co., first vice president and director, 1790 Broadway; American Bank Note Co., director; Atlantic Coast Lumber Corporation, director; Georgetown & Western Railroad Co., director; Goodyear's India Rubber Glove Manufacturing Co., director; Goodyear's metallic Rubber Shoe Co., director and president; Lycoming Rubber Co., director; Meyer Rubber Co., director and treasurer; National Lighterage Co., director; Naugatuck Chemical Co., director; New York Mutual Gas Light Co., director; Rubber Goods Manufacturing Co., director; United States Tire Co., director; United Timber Corporation, director; total, 14.

Clarence H. Mackay, 253 Broadway, New York. Mr. Mackay contributed $1,000 to the support of the National Security League. He is president and director of the Commercial Cable Co., Commercial Cable Building Co., and the Commercial Cable Co. of Cuba, the Mackay's Companies, the North American Telegraph Co., the Pacific Postal Telegraph Co., director and president; Postal Telegraph Cable Co., president and director; and other corporations.

The statement regarding Clarence H. Mackay is as follows:

Clarence H. Mackay, 253 Broadway, New York, July 2, 1915 ..... $1,000

Commercial Cable Building Co., president and director; Commercial Cable Co., president and director; Commercial Cable Co. of Cuba, president and director; Mackay Companies, president and trustee; Metropolitan Opera Company, director; The New Theater, president and founder; North American Telegraph Co., director; Pacific Postal Telegraph Cable Co., director and president; Postal Telegraph Cable Co., president and director; Saratoga Association for the Improvement of the Breed of Horses, director; Westchester Racing Association; total, 11.

T. Coleman du Pont, Wilmington, Del., and also 120 Broadway, N. Y., contributed $9,000.

I understand that Mr. Orth, or some one else, said that he was not the powder manufacturer, or——

Mr. ORTH (interposing). I heard some testimony to that effect here.

Mr. BROWNE. Do you know anything about that?

Mr. ORTH. I do not, sir.

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Mr. BROWNE. Well, I read from the latest "Who's Who," 1918–19 statement made by Thomas Coleman du Pont, himself. I am reading from "Who's Who," this biography written by Mr. du Pont himself:

Removed to Wilmington, 1900. Was president of the E. I. du Pont De Nemours Powder Co., 1902–1905; president Central Coal & Iron Co., McHenry Coal Co., Main Jellico Mountain Coal Co. (all of Kentucky); Wilmington Trust Co.; director, Union National Bank, Wilmington. President Equitable Office Building Corporation. Vice president Greely Square Hotel. Director, Empire Trust Co., National Surety Co.

I have omitted from the reading of the biography a little irrelevant matter.

T. Coleman du Pont, Wilmington, Del., Mar. 13, 1916	$2,000
T. Coleman du Pont, 120 Broadway, New York, May 6, 1916	3,000
T. Coleman du Pont, 120 Broadway, New York, Feb. 23, 1918	1,000
T. Coleman du Pont, 120 Broadway, New York, Mar. 4, 1918	1,000
T. Coleman du Pont, 120 Broadway, New York, Apr. 1, 1918	1,000
T. Coleman du Pont, 120 Broadway, New York, Jan. 4, 1918	1,000
	9,000

Empire Trust Co., director; Equitable Office Building Corporation, president and director; Greeley Square Hotel Co., vice president and director; National Surety Co., director; total, 4.

William P. Clyde, 61 Broadway, New York, contributed $1,250. He is director in the Lehigh Valley Railroad Co.

The statement regarding William P. Clyde is as follows:

William P. Clyde, address not given, Feb. 25, 1915	$250
William P. Clyde, 61 Broadway, New York, Oct. 14, 1915	250
William P. Clyde, 61 Broadway, New York, Mar. 6, 1916	250
William P. Clyde, 61 Broadway, New York, July 29, 1916	250
William P. Clyde, 61 Broadway, New York, Feb. 15, 1917	250
	1,250

Lehigh Valley Railroad Co., director.

Ridley Watts, 44 Leonard Street, New York, contributed $15,000 to the support of the National Security League; is a member of the firm of Grinnel Willis & Co., 44 Leonard Street; Fountain Inn Manufacturing Co., Fountain Inn, S. C., director; director of the Issaqueena Mills, Central, S. C.

The statement regarding Ridley Watts is as follows:

Ridley Watts 44 Leonard Street, New York, Feb. 23, 1918	$10,000
Ridley Watts, 44 Leonard Street, New York, Sept. 20, 1918	2,600
Ridley Watts, 44 Leonard Street, New York, Nov. 14, 1918	2,400
	15,000

Ridley Watts of the firm of Grinnel Willis & Co, 44 Leonard Street; Fountain Inn Manufacturing Co., Fountain Inn, S. C., director Issaqueena Mills, Central, S. C., director.

Joseph H. Choate, 52 Wall Street, New York, contributed $4,750. He was formally ambassador to England wasn't he, Mr. Orth?

Mr. ORTH. Mr. Choate?

Mr. BROWNE. Yes

Mr ORTH. Yes, sir.

Mr. BROWNE. It shows at the time of his death that he was a director in the German Alliance Insurance Co., the German-American

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Insurance Co., and the New York Life Insurance & Trust Co., trustee.

The statement regarding Joseph H. Choate is as follows:

Joseph H. Choate, 52 Wall Street, New York, Apr. 7, 1915	[illegible]
Joseph H. Choate, 52 Wall Street, New York, Jan. 14, 1916	2,[illegible]
Joseph H. Choate, 8 East 63rd Street, New York, Feb. 11, 1916	1,[illegible]
Joseph H. Choate, 8 East 63rd Street, New York, Apr. 26, 1916	1,[illegible]
	4,[illegible]

German Alliance Insurance Co., director; German-American Insurance Co., director; New York Life Insurance & Trust Co., trustee.

Do you know whether these men who contributed heavily to the National Security League were very strongly opposed to the revenue bill passed by Congress?

Mr. ORTH. I have no means whatever——

Mr. BROWNE (interposing). Didn't you hear a great protest from Wall Street, and the business interests of New York City, against the last revenue bill passed by Congress?

Mr. ORTH. Why, I think that would depend upon individuals, sir. I have an office fairly near Wall Street. I was very much in favor of the income tax bill.

Mr. BROWNE. Were you in favor of the last revenue bill?

Mr. ORTH. I certainly was, sir. I am in favor of any bill for taxing profits when the country is at war.

Mr. BROWNE. Well, I read to you from one magazine. You know the Leslie's Magazine?

Mr. ORTH. I have heard of it, sir.

Mr. BROWNE. You read it, don't you?

Mr. ORTH. Leslie's?

Mr. BROWNE. Leslie's, yes.

Mr. ORTH. No, sir; I don't read it.

Mr. BROWNE. I read from Leslie's Magazine, forecast for 1918. That was issued December 29, 1918, on page 911, it states here: "The old year passed out amid the deepest gloom on Wall Street." That is the headline.

Once more the situation is up to Congress, the same Congress that has so significantly failed thus far to meet the desperate problems of the war. Is it surprising that a feeling of hopelessness prevails in financial circles as the new year dawns, the fear that until a new Congress is chosen little relief can be expected? A new House of Representatives will be chosen next fall with every promise that its political complexion will be completely changed from that of the present Congress. If the hope should be justified it would give a decided stimulus to the stock market.

That is the statement made in the forecast for 1918 by the writer for Leslie's Magazine, that ever devotes his time to writing upon the financial situation of the country.

Mr. ORTH. Is there any question in connection with it?

Mr. BROWNE. Didn't you see similar statements in the magazines and the papers of the country, similar statements to the one I have just read from Leslie's Magazine?

Mr. ORTH. I don't think I did, sir. I don't want to allow the impression to be gained by the committee that I was not conscious of the fact that there was more opposition to the income tax bill from people who paid heavy income taxes. I am perfectly conscious of that fact.

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Mr. BROWNE. Yes; well, didn't all those men here, of which I have given you a list, who were all heavy supporters of the National Security League, pay large income taxes?

Mr. ORTH. Fortunately for the war revenues of the Government they did, sir.

Mr. BROWNE. I didn't say whether fortunately or not; I asked you whether they did, and you answer "yes." Now, did you ever read the Federal Trade Reports, made by the Federal Trade Commission? It is issued in the form of a bulletin; did you ever read it?

Mr. ORTH. No, sir.

Mr. BROWNE. You have heard some discussion about it haven't you?

Mr. ORTH. I think I have, sir.

Mr. BROWNE. Haven't you heard a discussion about it from the Chamber of Commerce of the United States?

Mr. ORTH. I don't recall it, sir. I may have, but I don't recall it with any particularity.

Mr. BROWNE. Well, you have heard some dissatisfaction expressed about it haven't you?

Mr. ORTH. I must confess that I don't know what the report is, sir, so I can't testify about it.

Mr. BROWNE. Well, now, I call your attention first it is called a Senate Document. You send to Senate Document Room for Senate Document No. 248 on profiteering. They will send you the Federal Trade Commission's Report. You will find on page 9 of that report a list of the profits that the steel companies made in 1917, which ranged all the way from 30 per cent to 319 per cent. All the people that were interested in iron, steel, copper, nickle, leather, or lumber made tremendous profits during the war, all of them, didn't they, Mr. Orth?

Mr. ORTH. Yes, sir, the same as every one interested in wheat or cotton.

Mr. BROWNE. Or zinc?

Mr. ORTH. Or zinc, or any other commodity handled by any citizens of the United Staes or the world.

Mr. BROWNE. Now, these contributors, whose names I have read to you, and many others, were directors and heavily interested in all kinds of minerals and steel, iron, copper, zinc, nickle, leather, rubber, and railways, weren't they?

Mr. ORTH. Yes, sir; they were interested in those things, in buying Liberty bonds, subscribing to the Red Cross, and sending their sons to the war.

Mr. BROWNE. You answer that question by saying yes or no, whether they are or not, without going into a long discussion. Now, you would not know what per cent of their money, or anything they put in Liberty bonds or anything of that kind, information about which you started to vouch here.

Mr. ORTH. Definitely, no sir.

Mr. BROWNE. Well, thought you didn't.

Mr. ORTH. The Government records show it, sir.

Mr. BROWNE. Now, the railroads of the United States, at this time are making a tremendous effort to have the Government turn them over to the private ownership aren't they?

Mr. ORTH. To return them.

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Mr. BROWNE. Yes, to private ownership.

Mr. ORTH. I believe so.

Mr. BROWNE. There is a tremendous campaign being waged now, and propaganda being sent out all over the country, isn't there, by the owners, and those interested in railroad stocks and bonds, and the owners of the railroads?

Mr. ORTH. All I know is what I read in the newspapers. If there is any special propaganda, I have no knowledge of it directly or indirectly.

Mr. BROWNE. Do you know whether Elihu Root is retained by the railroads of the United States to represent them in their efforts to be turned back to private ownership?

Mr. ORTH. I have not the slightest knowledge of it.

Mr. BROWNE. Didn't you ever hear of that, or haven't you seen it in the newspapers?

Mr. ORTH. I think I have seen something in the papers about Mr. Root being retained, but I have no knowledge—I didn't when I first answered. I hadn't thought of seeing it in the papers.

Mr. BROWNE. The revenue bill that is now a law, when it went into the House of Representatives provided for a larger tax on excessive incomes than it did when it came out of the Senate and conference committee, and became a law didn't it, Mr. Orth?

Mr. ORTH. I believe it did, sir.

Mr. BROWNE. Do you think that is any reason why the National Security League treated the Senators more tenderly than they did the House of Representatives in making a chart?

Mr. ORTH. I know that it is not, sir; because I made both charts and at the time they were made, and until this present hearing, I had no thought directly or indirectly, with regard to the income tax, or anything else, except what I was doing.

Mr. BROWNE. No. Well, don't you think that this was the reason why Mr. Parker and others came in and you had a meeting, and you only carried your point by 7 to 6 over the proposition that you should materially amend the chart, giving the records of Congressmen?

Mr. ORTH. I have no means of knowing what was in Mr. Parker's mind.

Mr. BROWNE. Don't you know that there was a propoganda being sent out, and the service of newspaper writers was obtained urging in the magazines and periodicals and newspapers, urging Congress to raise more money by bonds and less by taxes?

Mr. ORTH. I never had the slightest knowledge of it.

Mr. BROWNE. You did not see anything of that kind?

Mr. ORTH. I had no knowledge whatsoever of any such propoganda, or any such work being done.

Mr. BROWNE. Also the Liberty bonds were an excellent investment to people who had money to invest, weren't they?

Mr. ORTH. Why, no, sir.

Mr. BROWNE. They weren't?

Mr. ORTH. For men in active business, they were not nearly as good an investment as keeping the money in active business.

Mr. BROWNE. Now, you know that J. Pierpont Morgan—that his *company* was active in negotiating loans for Great Britain didn't *you?*

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Mr. ORTH. Yes, sir.

Mr. BROWNE. Yes; and they were the British agents in this country to transact business between American manufacturers who were manufacturing supplies for the English Army, and England, weren't they?

Mr. ORTH. Yes, sir; they bought enormous quantities of supplies, I believe, for the British Government before we went into the war.

Mr. BROWNE. Morgan's company were also the fiscal agents to float the allied loan before we got into the war,, weren't they, here in this country?

Mr. ORTH. Yes, sir; I believe they were. I would like to add to that previous answer, sir, that Morgan & Co. lost their job when we went into the war.

Mr. BROWNE. Did you frequently see business men that you had met while you were four years in England over here during the war?

Mr. ORTH. Why, practically not at all, sir. The business men whom I met on the other side very rarely came here, and in every case they were mostly hemp merchants.

Mr. BROWNE. You weren't in touch with business interests in London, were you?

Mr. ORTH. I was only in touch with my own business, sir.

Mr. BROWNE. And after this war, after August, 1914, didn't you see them frequently, right along?

Mr. ORTH. No, sir; the only recollection I have of seeing anybody from the other side was that our agents in London, or rather the salaried manager of our office in London, came over to see us on the conduct of our own business two or three times during the war.

Mr. BROWNE. Mr. Menken, your league's president, when the league started, and for most of the time of the existence of the league, was attorney and representative of the London Globe Fire Insurance Co., wasn't he, which firm had its home office in London, England?

Mr. ORTH. I think I heard it testified. I am not certain.

Mr. BROWNE. Edward H. Clark, was fomerly treasurer, was he not, of the National Security League?

Mr. ORTH. And I think that was testified to, but I am not sure about it.

Mr. BROWNE. Yes; and he is at 15 Broadway, New York, and also of San Francisco.

Mr. ORTH. I have no knowledge of him.

Mr. BROWNE. Do you know him?

Mr. ORTH. Never met him, and don't know anything about him except what I have heard.

Mr. BROWNE. Well, he is, according to the "Dictionary of Directories," director of 12 large corporations amongst them the Baicora Co., San Francisco; president and director of the Cerro De Pasco Copper Corporation, whose statement of its excess profits during the war I will file here; the Cerro De Pasco Mining Co.; also director and vice president of the Cerro De Pasco Railroad Co., Columbia Trust Co., the Home Stake Mining Co.; president and director Morococha Mining Co.; president and director Palermo Land, Water Co., San Francisco; and other corporations.

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Herbert Barry was your former secretary, wasn't he?

Mr. ORTH. I have so heard it testified, sir.

Mr. BROWNE. 59 Wall Street, New York, lawyer; director the Guaranty Trust Co., Knickerbocker Trust Co., Manhattan Railroad Co., and the Ocean Steamship Co.

Now, your present treasurer is Alexander J. Hemphill, 140 Broadway, New York, chairman of finance committee, National Security League, and treasurer of the league, isn't he?

Mr. ORTH. Yes, sir.

Mr. BROWNE. Now, do you know Mr. Hemphill?

Mr. ORTH. Yes, sir.

Mr. BROWNE. He is extensively interested in many large corporations, isn't he?

Mr. ORTH. I believe he is, sir. I never knew it directly.

Mr. BROWNE. The "Directory of Directories" shows that he is director of the Guranty Trust Co., chairman, board of directors, Guaranty Trust Co.; director and member of board of managers of the Adams Express Co.; American Security Co.; Appraisers Corporation; the Audit Co. of New York; California Railroad & Power Co.; Electric Bond & Share Co.; Fidelity & Casualty Co.; Guaranty Safety Deposit Co.; Hudson Manhattan Railroad Co.; Inter-Burrough Consolidated Corporation; Inter-Burro Rapid Transit Co.; Mechanics Trust Co.; Missouri Pacific Railroad Co.; New York Coke Co.; Richmond Light & Railroad Co.; St. Louis Iron Mountain & Southern Railroad Co.; St. Louis Southwestern Railroad Co.; Surety Corporation, general director; Southern Cotton Oil Co.; United States Gas & Electric Corporation; United States Gas & Electric Engineering Corporation; United States Investment Co.; United States Safety Deposit Co.; Utah Security Corporation.

Franklin Q. Brown, is one of your prominent directors isn't he, 33 Pine Street, New York City, member of your executive committee, and director of the League, isn't he?

Mr. ORTH. I have never met Mr. Brown, sir.

Mr. BROWNE. Don't you know the directors of your League?

Mr. ORTH. I believe his name is down as a member of the executive committee and as a director of the League.

Mr. BROWNE. Well, just take your own pamphlet here.

Mr. ORTH. I don't question it, sir. I have testified he was a member of the executive committee.

Mr. BROWNE. Take your own pamphlet, sir, and refresh your memory, and see whether you find his name, Franklin Q. Brown, as one of the directors [handing pamphlet to Mr. Orth, and indicating].

Mr. ORTH. I find in the pamphlet dated September, 1918, Mr. Franklin Q. Brown, was a member——

Mr. BROWNE. That is September 18, 1918, is it?

Mr. ORTH. September, 1918.

Mr. BROWNE. That is probably correct isn't it?

Mr. ORTH. Undoubtedly, sir.

Mr. BROWNE. Well, Franklin Q. Brown, according to the "Directory of Directories" is director in the American Beet Sugar Co.: American Light & Traction Co.; Augusta-Aiken Railway & Electric Co., president and director; Augusta Southern Railway Co., president and director; Columbia Trust Co.; Dobbs Ferry Bank.

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resident and director; Columbia Railway, Gas & Electric Corporation; Electric Properties Corporation; J. G. White Co. (Inc.); J. G. White Engineering Corporation; Lima Locomotive Works (Inc); National Surety Co., chairman of executive committee and director; Pierre Marquette Railway Co.; Seaboard Airline Railway.

Robert Bacon, is a member of your executive committee isn't he, Mr. Orth?

Mr. ORTH. Yes, sir.

Mr. BROWNE. He is one of the directors of the United States Steel Corporation isn't he?

Mr. ORTH. I think he is, sir.

Mr. BROWNE. So it is shown. I have shown what the profits of the steel company were—the excess war profits—over $400,000,000 during the year 1917.

H. B. Harris is director of the National Security League, and member of the executive committee.

Mr. ORTH. H. B. Harris?

Mr. BROWNE. Yes.

Mr. ORTH. Not to my knowledge, and I don't find his name in the list—oh, he is director, sir, not a member of the executive committee.

Mr. BROWNE. Well, one of the directors. There it is [indicating].

Mr. ORTH. Yes.

Mr. BROWNE. Well, he is, according to the "Directory of Directories" a director of the American Russian Chamber of Commerce; and the Haitian American Corporation. He is a man of great wealth, isn't he?

Mr. ORTH. I don't know him, sir. I don't know anything about his affairs.

Mr. BROWNE. Frederick H. Coudert, New York, is a member of the executive committee of the National Security League, isn't he?

Mr. ORTH. Yes, sir.

Mr. BROWNE. Do you know him personally?

Mr. ORTH. Only in the respect that I just met him at meetings of the executive committee. Not otherwise. Never met him before until I met him at one of those meetings.

Mr. BROWNE. Yes. According to the "Directory of Directories" he is vice president and director of the Chapultepec Land Improvement Co.; the Equitable Trust Co. of New York. That is a Mexican corporation, isn't it, the first company?

Mr. ORTH. The first one you mentioned?

Mr. BROWNE. Yes.

Mr. ORTH. The name is Mexican. I don't know anything about the corporation.

Mr. BROWNE. The Equitable Trust Co. of New York; Federation of French Alliances in the United States—he is director—do you know what that Federation of French Alliances is?

Mr. ORTH. Federation of French Alliances?

Mr. BROWNE. Yes.

Mr. ORTH. No, sir; I do not.

Mr. BROWNE. He is a director in the Garden City Co.; trustee in the Lincoln Safe Deposit Co.; also director in the National Surety Co.

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You stated, I believe, that you were director in the National——

Mr. ORTH (interposing). Rosin Oil & Size Co.

Mr. BROWNE. Also the Pennsylvania & Delaware Oil Co., aren't you?

Mr. ORTH. Yes, sir.

Mr. BROWNE. And you claim that at the present time you do not hold any stock in the International Harvester Co.?

Mr. ORTH. At the present time I do not hold any stock in the International Harvester Co.

Mr. BROWNE. Or your firms don't?

Mr. ORTH. Nor my firm.

Mr. BROWNE. Do you hold any railroad stocks, Mr. Orth?

Mr. ORTH. My firm does.

Mr. BROWNE. Pretty heavily interested in railroad stocks, aren't you? You need not give the amounts, but just——

Mr. ORTH (interposing). Why, my firm holds stocks and bonds to the extent of about thr e hundred and some odd thousand dollars, of which about $75,000 is in railway stocks, and $250,000 in Liberty bonds.

Mr. BROWNE. You think Liberty bonds a pretty good investment, don't you?

Mr. ORTH. No, sir; I previously stated to you that I did not consider them a good investment for people in active business. They pay very much less than almost any form of investment we could engage in.

Mr. BROWNE. Well, of course, compared with some of these profits, they would be small, but in normal times, 4¼ per cent is considered for large amounts of money, pretty good interest, isn't it, without any trouble, friction, or thought about it, or taxation?

Mr. ORTH. Why, in normal times money can always be employed so as to make more than 4¼ per cent a year by an active business man.

Mr. BROWNE. Well, you have to devote your time to it?

Mr. ORTH. Yes, sir; so that entitles me to more compensation.

Mr. BROWNE. Do you know Franklin Remington of 233 Broadway, New York, secretary until a short time ago of the National Security League?

Mr. ORTH. I met Mr. Remington through attendance at executive meetings, but that is all.

Mr. BROWNE. He was former secretary, wasn't he?

Mr. ORTH. Former secretary of the league.

Mr. BROWNE. And he has been extensively engaged out on the Pacific coast in shipbuilding, hasn't he, for the Government?

Mr. ORTH. I have no knowledge of his private business affairs, whatsoever, sir, except what I might have heard here.

Mr. BROWNE. He is, according to the Directory of Directories, director of the Great Western Chemical Co., director of the Water Proofing Co., Western Power Corporation, Foundation Co., Employees Mutual Insurance Co., Crucible Plate Graphite Co., Busch-Beach Co.—do you know anything about the Busch-Beach Co.?

Mr. ORTH. Never heard of them before, sir.

Mr. BROWNE. Well, I don't know what it is engaged in. I will just read you—I have got a statement about their war profits that *I will* put in.

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George Wharton Pepper, Philadelphia, vice president and on the executive committee of the league. Are you acquainted with him, Mr. Orth?

Mr. ORTH. I have met him, sir.

Mr. BROWNE. He is reported to be a very wealthy man, interested in a good many corporations, isn't he?

Mr. ORTH. I think I heard it so testified here, but I am not certain.

Mr. BROWNE. He is trustee of the Carnegie Institute. Is Mr. Carnegie—he himself, is president of the Carnegie Corporation, isn't he?

Mr. ORTH. I don't know, sir.

Mr. BROWNE. According to the Directory of Directories he is, and Elihu Root is vice president of the Carnegie Corporation.

Mr. ORTH. I don't know about it, sir.

Mr. BROWNE. Now, I will hand over a list of these to the reporter, that I have called to your attention, and you will be able to make any corrections—that is, you can, when you come here again, when you are on the stand again, you can, or you can go on the stand for that purpose and show if there has any incorrect statement been made; but I will state that I have taken all these statements that I have given you from the Directory of Directories, City of New York, the 1915–16 edition, which is the latest one I could get at the library.

Now, you have heard the statement here of Mr. Menken—you stated you had—about this Congress, and some of its bills, one of its great preparation bills, being full of treasonable parts, and so forth. The league evidently did not hold a very high opinion of Congress, did it, according to the statement of its president, Mr. Menken?

Mr. ORTH. Apparently not, sir.

Mr. BROWNE. And evidently not by the executive committee and officers of the National Security League.

Mr. Orth. I think that is correct, sir.

Mr. BROWNE. I wish to read in this connection, a statement of President Wilson, and put it in in this connection. In his message to Congress he says:

> It seems to me that the work of this session has not only been done thoroughly, but that it has also been done with the utmost dispatch possible in the circumstances, or consistent with a full consideration of the exceedingly critical matters dealt with. I have admired the work of this session. The way in which the two Houses of Congress have cooperated with the Executive has been generous and admirable.

Now, just a question or two, Mr. Orth. Do you know Prof. Hobbs and Prof. Van Tine?

Mr. ORTH. I have never met Prof. Hobbs, but I believe that I was introduced to Prof. Van Tine in the offices of the Security League once by Dr. McElroy, and merely perfunctorily shook hands with him and made a few remarks, but had no conversation with him.

Mr. BROWNE. You never read his statement that I put into the record here in regard to the Tories in Revolutionary times being patriots, did you?

Mr. ORTH. No, sir. When you read it it was the first knowledge I had of it.

Mr. BROWNE. I read you another statement by Prof. Van Tine, that he made November 29—I don't know the year, it is not given, but it was

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when Mr. Herrick, Ambassador Herrick, was in France, but here is the record of the Van Tine speech:

PARIS, *November 29.*

There is much unfavorable comment among the old American residents, who attended the Thanksgiving dinner at the American Club last Wednesday night, at which they considered the tactile speech of C. H. Van Tine, the exchange professor, now lecturing before the French Provincial Universities, who was on the program with Ambassador Herrick. The part of the speech to which exception was taken was: "The French in aiding the United States during the revolution acted selfishly and purely for the purpose of damaging England. Therefore, it is useless to talk about our duty of friendship."

A man that would make a statement of that kind you would not consider a man that would be safe to send out to the colleges in speaking and in preparing lectures for the youth of the country, would you?

Mr. ORTH. I don't think a single statement like that, sir, would disqualify him for any particular avocation.

Mr. BROWNE. A man that would make a statement of that kind over in France, would you think he was a man with enough tact and enough good judgment to send out under the auspices of your league to educate the youth of the country?

Mr. ORTH. Why, it certainly would not operate in his favor.

Mr. BROWNE. Now, you heard those matters, that I read of Prof. Hobbs' statement that he made Brittania Day, that I read here?

Mr. ORTH. Yes, sir.

Mr. BROWNE. Yes; you remember quite distinctly that without my reading it over don't you?

Mr. ORTH. I would rather hear it, if I am going to be examined about it. My mind has been pretty severely strained lately, and it does not respond as rapidly as it might.

Mr. BROWNE. Well, I will just turn to it in a second. Now, this is the statement:

Prof. Hobbs opened his talk with reference to President Wilson's somewhat recent trip to Europe to dominate the peace tables, just at the time when the Head of the State is needed at home. He declared that going abroad to dominate we should have a record of sacrifice and that the original 100,000 casualties has been raised to 236,000 to a make a better showing. Even our great feat of transportation of men was not accomplished by the administration. Prof. Hobbs said, but by the French and British ships, who transported 80 per cent of the American soldiers to Europe. It is inconceivable, he added, that the premiers have invited Wilson, as they are opposed to his pro-German program.

Now, what do you think of a man, a professor, employed by your league, or going out under the auspices of the National Security League, that would make a statement of that kind about the Commander in Chief, the President of the United States, when he was over in Europe trying to get as good terms as he could in preventing future wars and accomplishing his purposes?

Mr. ORTH. I should think any such statement of that kind was unfortunate, sir.

Mr. BROWNE. Well, would you consider it enough so—such a statement, monstrous statement—that a man who would make it ought to be at once dismissed from the National Security League?

Mr. ORTH. Why, it might operate in that direction, sir. It is a very *hard* question to answer, I mean. So far as I am concerned, as a

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member of the executive committee, I can only say that it would not by any means prejudice me in the man's favor.

Mr. BROWNE. No, you would not subscribe to anything of that kind at all, would you?

Mr. ORTH. No, sir; I would not.

Mr. BROWNE. Well, now, don't you think that men who would make statements that you have heard read of that kind by Prof. Van Tine and Prof. Hobbs showed conclusively that they are men who have not the temperament or the judgment to go about educating the youth of the country?

Mr. ORTH. I think so, with regards to the passage just read about Prof. Hobbs.

Mr. BROWNE. And you heard the statement about Robert McElroy who went to the University of Wisconsin, too, didn't you?

Mr. ORTH. Yes, sir.

Mr. BROWNE. Now, wouldn't you think a man like McElroy has shown himself to be, absolutely unfit, and of such a poverty of judgment that he ought not to go out under the auspices of any society and be their spokesman or help to educate the youth of the country?

Mr. ORTH. I can speak with positiveness with regard to Dr. McElroy, because I have been in almost daily contact with him at the office of the Security League, and I would say that while I would regret—I do regret, and I would regret—if I were he that any such incident happened—the whole incident is extraordinary—daily contact with him has shown me he is a man of such high purpose, great industry, and of such great anxiety to do good, that I don't think it would disqualify him from the work he is doing, particularly when that work which he is doing is considered and is readily available to this committee for the demonstration of it.

Mr. BROWNE. Did you know that he did not have the manhood and courage to make a statement at all showing that he did not attempt to insult the students of the University of Wisconsin?

Mr. ORTH. Why, Congressmen, I honestly don't understand that whole controversy. I read something of it at the time. I have heard something here, and I confess I don't now understand it so I can intelligently answer a question about it.

Mr. BROWNE. You have talked with Mr. McElroy about it, haven't you?

Mr. ORTH. No, sir; I have not.

Mr. BROWNE. But you would think that conduct that would call for a rebuke that was given him by the president, Charles A. Van Hise, of the University of Wisconsin, and the chief justice of Wisconsin, and even those professors that wrote something that was favorable in some ways to McElroy, who said he was utterly unfit to go about lecturing that way—you would place a great deal of importance upon their statements, would you not?

Mr. ORTH. I certainly would, sir. I would place a great deal of importance on other statements on the other side of the case, that I got, too, in that they came from equally reliable and balanced men.

Mr. BROWNE. Now, your contributions have fallen off a great deal in the last two or three months haven't they?

Mr. ORTH. I don't know, sir.

Mr. BROWNE. Contributions received by the National Security League—don't *you know* that the National Security League is now,

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and within the last month or six weeks, has been expending more money than they have been receiving each month?

Mr. ORTH. No, sir, I do not know it. I do not mean by this that that is not the case. I simply mean that I don't know it. I have not seen any recent financial statement of the National Security League, except one which, I believe, was gotten out several weeks ago.

Mr. BROWNE. Are you getting any new subscribers, new members?

Mr. ORTH. Why, Mr. West, the executive secretary, can tell you in detail. I merely can say that I see new subscription blanks lying on his desk nearly every morning.

Mr. BROWNE. Signed by people?

Mr. ORTH. Taken out of the mail, and I assume they are, sir, I didn't inspect them.

Mr. BROWNE. I asked you, when I examined you before, if you would give the list of people that you had sent this chart to, your chart on "What are you going to do about it," your congressional chart. Have you done that, Mr. Orth?

Mr. ORTH. No, I have not had time to do it, Congressman.

Mr. BROWNE. You remember it—about me asking you that question?

Mr. ORTH. Yes, sir: I thought it was one of the things you wished me to file with the committee after I got back to New York.

Mr. BROWNE. How do you keep the list of your members—by States or alphabetically or how?

Mr. ORTH. Members of the National Security League?

Mr. BROWNE. Yes, members of the National Security League.

Mr. ORTH. I don't know, sir, you will have to ask Mr. West.

Mr. BROWNE. This could be——

Mr. ORTH (interposing). Pardon me, Congressman, before we get away from the chart, will you tell me in some detail what you would like to have about that?

Mr. BROWNE. I would like to have the names of the men in the different parts of the United States that purchased your charts—that is over 10 or 12 at a time.

Mr. ORTH. I think——

Mr. BROWNE (interposing). You said you sent some off by hundreds—you sent 50,000 charts out?

Mr. ORTH. It would total nearly that.

Mr. BROWNE. Now, some of those charts were purchased?

Mr. ORTH. Yes.

Mr. BROWNE. Now, I would like to have those that have been purchased—the names of the parties purchasing them.

Mr. ORTH. Now, the book which is in the possession of the committee itself shows all the moneys received from the sale of charts and from whom received.

Mr. BROWNE. And the address of the parties?

Mr. ORTH. The name and address of the parties.

Mr. BROWNE. Well, that is what I wanted to see.

Mr. ORTH. Do you wish any further information with regard to the chart?

Mr. BROWNE. I don't think of anything further.

Now, the other day when I was examining you I could not find a statement on your chart which I wanted to put into the record to

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the effect that you sought to elect a loyal Congress, and I will read this into the record.

Mr. JOHNSON. State what you are reading from.

Mr. BROWNE. I am reading from the National Security League: Its past, present, and future work. September, 1918, and on page — the pages are not given, but just put:

> To elect a loyal Congress.—The league is planning nonpartisan cooperation with the Democratic and Republican congressional campaign committees to secure the election next fall of a Congress pledged to support the war and aid the President in all the plans for its efficient conduct.

That was to repudiate the statement that you made that the National Security League did not cooperate in any way with the campaign committees of the various parties. I could not put my hand on it at that time. I just introduce it now. That is all that I have to say.

Mr. JOHNSON. Do you know Mr. George Haven Putnam?

Mr. ORTH. No, sir.

Mr. JOHNSON. Do you know whether or not he has made speeches under the auspices of the National Security League?

Mr. ORTH. I think he has, sir. I am quite sure that he has.

Mr. JOHNSON. I have in my hand a pamphlet which opens with an introduction by Mr. George Haven Putnam, and on page 19, I find a speech made by him in London on the 4th day of last July, I believe, in which I find this language. The part of his remarks which I am about to read relates to the Revolutionary War. Now, I am reading what he said on that occasion:

> Americans of to-day, looking back on history with a better sense of judgment, and a better knowledge of the facts than was possible for their ancestors, are prepared to recognize also that their great grandfathers had treated with great injustice and with great unwisdom the Loyalists of New York and of New England who held to the cause of the Crown. We don't need to lessen in any way our admiration for the clear-sightedness of the founders of the Republic, and for the patriotic persistence with which they maintained their own contentions, but it is in order now to admit that the Loyalists had a fair cause to defend, and it was not to be wondered at that many men of the more conservative way of speaking should have convinced themselves that the cause of good government for colonies would be better served by maintaining the royal authority and by improving the royal methods than by breaking away into the all-dubious possibilities of independence.
>
> Textbooks are now being prepared which will present a juster historical account of the events of 1775, 1783, 1812, 1815, and 1861–1865.

I just wanted that in the record.

Mr. SAUNDERS. Mr. Orth, you stated in response to one of Mr. Browne's questions with respect to contributions that you thought that every decent American was willing to give all that he could to the support and prosecution of the war. That was correct, was it not?

Mr. ORTH. Yes, sir. I feel that, I believe that.

Mr. SAUNDERS. Well, the members of your honor roll, the members of the honor roll of the league who voted against the bill to finance the war apparently were not willing to give anything in support of the war, is that correct?

Mr. ORTH. Why, I don't think that follows, sir.

Mr. SAUNDERS. You said time and again that all that you could do in this connection was to draw the determination of a man's attitude by what he did when he made a record of voting. Now, deducing the attitude of these people who voted against the bill to

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finance the war, was not that a distinct stand of opposition on their part?

Mr. ORTH. An indication.

Mr. SAUNDERS. To afford the means with which the war could be prosecuted?

Mr. ORTH. I should not think so, sir.

Mr SAUNDERS. In your judgment a man could not vote against the bill that provided the finances for the war without being in the position of opposing furnishing the means necessary for the prosecution of the strife?

Mr. ORTH. There is this difference that every Member of Congress knows, that a revenue bill of some kind must be passed and that a revenue bill would inevitably be passed.

Mr. SAUNDERS. But there was only one bill that was passed and the people who voted against that bill voted against the only action taken by Congress to afford the means to prosecute the war.

Mr. ORTH. Why, I think if any Member voted against that bill, sir, that his vote against that bill should certainly be considered by his constituents in conjunction with the rest of his record.

Mr. SAUNDERS. Why do you make that discrimination with respect to a man who votes against the bill to finance the war and didn't report it with respect to these other measures that you selected to appraise the qualifications and worth of Members of Congress by it?

Mr. ORTH. Because the chart of the National Security League was made up, as has been pointed out, of what the league felt to be representative win-the-war measures.

Mr. SAUNDERS. And financing the war?

Mr. ORTH. Pardon me, Congressman, and if the chart should happen to give a man a nearly clear, or an entirely clear, record on win-the-war measures and he voted against the revenue bill, why I think his constituents would inevitably consider the two together.

Mr. SAUNDERS. But you didn't give the vote on the revenue bill.

Mr. ORTH. No, sir. I had already explained that as an acknowledged fact, sir.

Mr. SAUNDERS. Now, the men who voted for the preparedness program and then refused to afford the means to carry out that program were nullified so far as their own acts were concerned in regard to the preparedness program, weren't they?

Mr. ORTH. In so far as that act had that effect, yes, sir.

Mr. SAUNDERS. In other words, so far as their acts were concerned they wanted a program of preparedness without any means to put it into execution—without any money with which to put it into execution.

Mr. ORTH. Why, I can't imagine that that would be the frame of mind of any man.

Mr. SAUNDERS. So far as their acts are concerned—I am talking about the consequence of their acts, not to be exploring their mentalities in any other way.

Mr. ORTH. The abstract conclusion from the abstract question would be yes.

Mr. SAUNDERS. Well, now, Mr. Orth, it has been pointed by Mr. Browne that many of the men who were contributing to your league

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were interested in associations that made gigantic war profits. So far as these men were concerned, the men on your honor roll, who were voting against the war revenue bill, were voting against the proposition to compel these people to pay in any measure for the support of the war out of these great excess profits, were they not?

Mr. ORTH. In the same way that voting to the same effect as respects all other citizens of the country.

Mr. SAUNDERS. But all other citizens of the country were not making the gigantic profits that have been put into this record by Mr. Browne.

Mr. ORTH. Why, all citizens of the country were making, I should say, approximately the same profits during war times compared to ante-war times that these men were making.

Mr. SAUNDERS. You mentioned your definition of loyalty since you have been on the stand. I take it from that definition that you believe in the referendum, do you not?

Mr. ORTH. I can not answer, because I can not follow.

Mr. SAUNDERS. You do not know what the referendum is?

Mr. ORTH. I know what the referendum is, but I can't see the connection, sir.

Mr. SAUNDERS. Well, you do, or do not, believe in the referendum?

Mr. ORTH. I have not considered the subject as respects the United States.

Mr. SAUNDERS. Well, the only reason I asked that was your definition of loyalty depends upon what is the predominating popular sentiment at the time, and I don't know any better way to ascertain the predominating popular sentiment as of any given time save than by a popular referendum.

Mr. ORTH. Why, I think the committee and I were at one in that respect.

Mr. SAUNDERS. You said the other day, if I am not mistaken, that your impression was that the effect of the Kahn amendment was to cut off volunteering after that time, from that time forward.

Mr. ORTH. That the effect of which Kahn amendment?

Mr. SAUNDERS. The Kahn amendment to the conscription act to the Army bill.

Mr. ORTH. That the effect of the Kahn amendment was to cut off volunteering?

Mr. SAUNDERS. Yes; and put the Army from that time forward on a conscription basis?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Do you know that there are a great many more than a million men in the military service of the United States today that have come in since the passage of the Kahn amendment by volunteering?

Mr. ORTH. No, sir; I don't know it.

Mr. SAUNDERS. Let me give you these Army figures from the War Department: From the 2d of April, 1917, there were 1,039,654 who came into the Army by volunteering, but from that you will take 164,292 who were in the army as the National Guard. That leaves 875,362 men who came into the Army by volunteering, when, as has been suggested to me, volunteering was being discarded by the military authorities. Now, you must add to that all of the men who came

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in by what they call induction, which was practically volunteering. So that there is something like a million men to-day, by the Army figures, that are there as a result of voluntary enlistments after April 2, 1917. You see I have excluded from that the National Guard. One of the indictments that you preferred against Congress was—the present Congress—as a reason why it should be defeated and another Congress elected was that they had failed to pass for the necessary prosecution of the war a budget system. Can you tell me what kind of a budget system you desired the Congress to pass?

Mr. ORTH. Budget system is a system whereby the appropriations made by Congress are all eventually referred to one single committee for——

Mr. SAUNDERS (interposing). For the purpose of definite apportionment between the different objects requiring appropriations?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Very well, now. I accept that definition.

Mr. ORTH. Also I believe for attempting, as far as may be, to coordinate them to some extent with the revenue in sight.

Mr. SAUNDERS. Well, now, what the different departments of Government, particularly the military departments of the Government needed during the war was a sufficient appropriation of funds to enable them to carry out the war purposes. That is true is it not?

Mr. ORTH. Yes, sir.

Mr. SAUNDERS. Having in mind that you say that this present Congress that you attack in connection with this budget proposition made prodigal, to use your word, prodigal appropriations for war purposes, will you tell me how the failure on our part to pass a budget system in anywise indicated an indisposition on our part to win the war, or failure on our part to furnish the means with which to win the war?

Mr. ORTH. I don't, sir, I don't believe that I referred to the question of the budget system in regard to the winning of the war.

Mr. SAUNDERS. Well, I simply refer to your record in that respect. In that connection put into your answer to it your previous answer on the failure of Congress to pass a budget system during the continuance of war as a reason why this Congress should be defeated and a win-the-war Congress should be elected. Well, I am through, Mr. Chairman.

Mr. WALSH. Mr. Orth, in your opinion, as chairman of the congressional committee of the National Security League, both political parties at the time of the last election in November, 1918, were in favor of prosecuting the war, were they not?

Mr. ORTH. I think they were, sir.

Mr. WALSH. And were in favor of expenditures for adequate means to prosecute the war and for the purchase of the necessary munitions and arms and equipment.

Mr. ORTH. I believe they were, sir.

Mr. WALSH. Now, I want to ask you to express your opinion, as chairman of the congressional committee of the National Security League, as to whether, in your opinion, there was any more impropriety of men of wealth who might be interested directly or indirectly in the manufacture of the necessary means or instrumentalities for prosecuting the war, in contributing to the National Security

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League, an organization alleging itself to be nonparsisan in so far as its activities relating to the election of a Congress was concerned, than in contributing to either of the political parties?

Mr. ORTH. I do not, sir. I believe that the contributions to the National Security League were, in my opinion, quite as good as contributions to either of the political parties and quite as meritorious in every way—that they had exactly the same force and effect.

Mr. WALSH. And effect. As a matter of fact some of these gentlemen about whom you have heard with relation to their financial interests contributed to one or the other, or both political parties. That would not make, in your opinion as chairman of the congressional committee, their contributions to the National Security League any more reprehensible, would it?

Mr. ORTH. Certainly not.

Mr. WALSH. Mr. Orth, did you, as chairman of the congressional committee of the National Security League, consult with Mr. Stillwell and Mr. Remington, who were members of the congressional committee of the league, with reference to the activities and the campaign which was carried on?

Mr. ORTH. The membership of Mr. Remington in the committee, as my testimony will have shown, was not a member. Mr. Stillwell was. I consulted with Mr. Stillwell at various times up to the time when he became ill and subsequently went abroad in, I believe, Government service.

Mr. WALSH. Now, Mr. Lydecker testified in response, I think, to a question by me, that the congressional committee was composed of Mr. Orth, Mr. Stillwell, Mr. Remington, Mr. H. L. West, and Mr. Lydecker as ex-officio member. I refer to page 121 of the April record. So Mr. Lydecker was in error in naming Mr. Remington as a member of the congressional committee?

Mr. ORTH. That was an error, sir, which I have since corrected.

Mr. WALSH. But you did consult with Mr. Stillwell?

Mr. ORTH. I did, sir.

Mr. WALSH. Now, Mr. Orth, in the conduct of your activities did you at any time outline a program to be followed by any member-branch organization of the league with reference to the congressional campaign?

Mr. ORTH. No, sir. Wherever we heard that any branch of the league was participating in the congressional campaign in any manner we immediately ceased all connection of activity in that except in so far as it came within the intensive districts, as I have explained to the committee, but we had no further connection.

Mr. WALSH. So, if you heard, for instance, that in certain districts in Milwaukee the State branch was participating in the congressional campaign you ceased your activities in those districts?

Mr. ORTH. It was practically the sign "hands off" for us.

Mr. WALSH. But you would furnish them with literature.

Mr. ORTH. We would furnish anybody with literature.

Mr. WALSH. Well, you would furnish the State branch with literature notwithstanding the fact that you knew they were participating in the campaign.

Mr. ORTH. I think the answer to that is "yes."

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Mr. WALSH. Now, to your knowledge, do you know whether any State branch did participate actively in any congressional campaign?

Mr. ORTH. I believe that the Chicago branch did. I have some vague recollections, but can't state definitely, that in Los Angeles they did; and I have something in mind about a third one which I can't recall, but could refresh my memory on by speaking to Mr. Wood.

Mr. WALSH. Do you think it might have been in Wisconsin?

Mr. ORTH. I don't think so, sir.

Mr. WALSH. Well, now, then do you know from anything you have heard, any communications you have received, or from any knowledge that has come to your attention as chairman of the congressional committee of the National Security League, of the expenditure of money by any of the State branches for the purpose of electing particular candidates for Congress in the 1918 election?

Mr. ORTH. I have no knowledge of it, sir.

Mr. WALSH. And if that was done it was done without any participation or direction by you as chairman of the congressional committee of the National Security League?

Mr. ORTH. Absolutely. I am glad to have an opportunity to say to this committee that the congressional committee of the National Security League did not spend one penny either in the shape of active work in advertisements, as has been charged, or in any other manner to aid the nomination or election of a single candidate for Congress.

Mr. WALSH. Do you know Mr. Spooner, of Wisconsin?

Mr. ORTH. No, sir; I do not.

Mr. WALSH. Did you ever receive any letter of communication from him asking for a number of charts or other literature for use in the congressional campaign in Wisconsin?

Mr. ORTH. Well, a letter may have been received. If so, I don't recall it.

Mr. WALSH. You have no recollection of it?

Mr. ORTH. I, personally, have no recollection of such a letter.

Mr. WALSH. As chairman, not personally, but as chairman of the congressional committee?

Mr. ORTH. I have no recollection of any such letter.

Mr. WALSH. So, if, for instance, in Wisconsin, an active campaign was waged against a candidate there and literature was circulated and advertisements were printed in the papers bearing the name of the National Security League, or containing quotations from its literature, it was an activity with which you, as chairman of the congressional committee of the National Security League, had nothing to do?

Mr. ORTH. Absolutely, sir.

Mr. WALSH. Yes, sir. Mr. Orth, would it be too much to ask you to have copies of letters received, and received by you as chairman of the congressional committee, and sent by you as chairman, from Members of Congress in connection with the issuance of the questionnaire submitted to the committee?

Mr. ORTH. Why, I have no objection whatever to submitting either copies or the original correspondence.

Mr. WALSH. Your statement in reference to Mr. Barnhart that the correspondence was very voluminous, but I had assumed that

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e correspondence with reference to the questionnaire from Mem-rs of Congress who were seeking reelection might not have been ry considerable, and I asked you that question for the purpose of ving time inasmuch as you have been here quite a while, and if e had copies of that correspondence to examine it would obviate ar examining you on each particular letter and asking you to roduce them.

Mr. ORTH. I would be very glad to send the committee anything desires and make a check, or memorandum, of what you want.

Mr. WALSH. Would you have copies of letters received from Members of Congress and replies which you made to them relative o the questionnaire that you say was sent to the Members submitted o the committee?

Mr. ORTH. Yes, sir.

Mr. WALSH. Now, Mr. Orth, with reference to the 47 intensive districts, so to term them, in one or two of which it has been brought out you sent telegrams or letters, were the only districts in which you sent telegrams or letters respecting the candidacy of anybody for Congress—those in which the candidates had attempted to reply to the statements of the National Security League, or had, as you stated, made an attack on it?

Mr. ORTH. Wherever any correspondence was entered into by the Security League, or wherever anything was done by the league, except along the set lines which I have attempted to outline to the committee, it was invariably done because some attack was made on the league or some charge made against it.

Mr. WALSH. And in doing that did it, in your opinion as chairman of this congressional committee, participate in politics?

Mr. ORTH. It did not, in my opinion, participate in politics any more than it did in any activity of the league itself.

Mr. WALSH. But, in doing that it did express a preference for a candidate?

Mr. ORTH. I do not believe that any correspondence was sent out which did not refer to the matter, where it expressed any opinion like that. I am sorry to have to repeat these things so often, because the committee must be tired of them——

Mr. WALSH (interposing). I didn't know that you had been asked about this particular contention.

Mr. ORTH (continuing). But we invariably said in any correspondence regarding the election of a candidate that it must be left to the wisdom and conscience of the people of the district.

Mr. WALSH. I am referring to an instance where you knew an attack had been made.

Mr. ORTH. We always repeated it in instances where attacks had been made. We also went on to say that we did not believe that so-and-so who had done so-and-so is entitled to the favorable consideration of an American constituency, or something like that.

Mr. WALSH. Now, Mr. Orth, I have just one further question to see if I understand correctly your position with reference to the activities of the congressional committees, and that is: First, your attitude as chairman of the congressional committee of the National Security League, that you and the committee, and the league for which it was acting in indulging in its activities in relation to the

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election of Members of Congress, attempted merely to convey to the people of the country the votes upon certain measures which the league had selected—set them forth upon a chart, not as indicating votes for and against, but as votes being "right" or "wrong" for the purpose of refreshing the memory of the people of the various districts and of educating them with reference to the record which has been made by the Members of Congress, in order that they might be assisted in selecting their representatives in Congress, and that any misstatement upon the chart, if there be such, was unintentional, and that any conclusions sought to be drawn by the league with reference to the effect of measures contained in the questions on the chart, was not for the purpose of misrepresenting, but it was the best judgment of the members of the committee, and of the league, and solely an educational proposition from start to finish.

Mr. ORTH. That is correct, sir. And I believe that all my testimony is to that effect.

Mr. WALSH. That is the impression you desire to have your testimony here, for several days, under severe criticism—that is the impression you desire to leave with the committee as a result of your testimony?

Mr. ORTH. That is not only the impression I desire to leave with the committee, but those are the facts as can be established in more detail.

Mr. WALSH. I think that is all.

Mr. CARAWAY. You come back again and represent in your educational propaganda to defeat Members of Congress, that you always said that "this is addressed to the wisdom and discretion of the voters of the State." Do you think that adds to, or detracts from, the things that you do—whether it is right or wrong?

Mr. ORTH. No, sir; I think that that calls the recipient's attention to the fact that here is some testimony which they are to consider and to then act as they see fit about it.

Mr. CARAWAY. Let me ask you this question: Do you know what you intend to do well enough to do what you intend? Let me ask you this: Suppose a man applies for a position to a banking institution in your city and refers to you for a reference. Do you think you could escape liability by writing to the president of that bank that this man is a well-known thief and a liar, but, after all, it is left to your wisdom and discretion as to whether you will hire him or not?" Do you think that you could escape the liability for slander by a misstatement on your part by merely saying it is left to his wisdom and discretion?

Mr. ORTH. Why, no; if it was shown that what I said was not merely a record, an undoubted record.

Mr. CARAWAY. Do you think you can legally escape liability by saying, "this man is a liar and a thief, of course you can hire him if you want to," that you are not liable to him if you make a statement that is not true?

Mr. ORTH. No, sir.

Mr. CARAWAY. Well, you sent out a chart here that you admit here on examination is absolutely full of errors and mistakes and now stand up here and undertake to justify it by saying "I always *said, of course*, the final selection was left to the vision and wisdom

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of the people." Now, do you think you can justify a misstatement of a record by trying to qualify it that way?

Mr. ORTH. I claimed that the chart did not misstate the record, sir. That was a correct transcript of the votes.

Mr. CARAWAY. I heard you admit here, and testify, when Mr. Harrison was examining you, that the statements on the chart did not reflect the fact, and now you undertake to justify it by saying;

I always said that the final selection of Members of Congress was left to the wisdom and vision of the people.

Do you think you can escape the liability?

Mr. ORTH. I have admitted to certain technical deficiencies, but I have not admitted any fundamental injustice.

Mr. CARAWAY. If you call it technical inaccuracy after admitting that what the charts said were not facts—if that is a technical fact, I'd like to know what is the real substantial difference from the fact and a statement. You say the Army was to have been so large, and in fact, it does not come within a hundred thousand of it, and you call it a substantial statement of facts.

Mr. ORTH. So far as that statement is concerned, sir, the answer is "no."

Mr. CARAWAY. What is your idea—let's get your idea, because it differs from that of anybody I ever heard of—what is your idea and distinction between a substantial truth and an actual truth? You stated here so often, "a thing is substantially true." Now, you give your distinction between a falsehood and a substantial truth.

Mr. ORTH. A substantial truth simply is one which tangibly conveys a fact, without perhaps being 100 per cent accurate in an abstract or technical way.

Mr. CARAWAY. Is not this true, now, Mr. Orth; isn't a thing either true in itself—and there is no such thing as a substantial truth, a substantial accuracy—a thing is either true or not true.

Mr. ORTH. Why, sir, I think that is a matter of opinion. My opinion is there is such a thing as substantial accuracy.

Mr. CARAWAY. You think a man can be substantially honest, and not be honest?

Mr. ORTH. Why, I think that every human attribute of character sir, is susceptible to that distinction.

Mr. CARAWAY. Well, let's take some delicate question. Can a woman be substantially virtuous, and not virtuous?

Mr. ORTH. Why, I would answer "yes."

Mr. CARAWAY. She could! I just wanted to get your peculiar idea on what is substantially true, and not true. That's all.

Mr. REAVIS. Mr. Orth, will you let me ask you one question, just one, because I know you must be hungry. You say you sent out the questionnaire subsequent to sending out the charts with the idea of giving to Congressman the opportunity of making such explanations as would correctly reflect their record?

Mr. ORTH. Yes, sir, for the purpose of allowing the candidate for Congress to show whatever they pleased with regard to their record.

Mr. REAVIS. Wouldn't it have been an excellent idea to have sent this questionnaire out so as to give the Congressman the opportunity of putting you in possession of the information regarding his record before you sent the chart out?

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Mr. ORTH. Why, I don't know how to answer that question, sir, because the thought never occurred to me.

Mr. REAVIS. What I had in mind, Mr. Orth, was this: You sent out certain, what I think, inaccurate charges against a Congressman. Then you sent him a questionnaire giving him the opportunity of correcting your inaccuracies. Wouldn't it have been a better idea to have sent out the chart, getting his views on things, so as to prevent the inaccuracies than it was to send out an inaccurate chart and then send out a questionnaire giving him an opportunity to correct the inaccuracies?

Mr. ORTH. It might possibly have been better to have sent the questionnaire out in that way. I never thought of it, but in order to try to convince you that we meant to do justice as far as it was possible, we sent the questionnaire out the very last thing so it would be the last thing in the hands of those whom we attempted to educate.

Mr. REAVIS. I just wanted your judgment. That is all, Mr. Orth.

(Whereupon, at 1.50 p. m., o'clock, the committee adjourned.)

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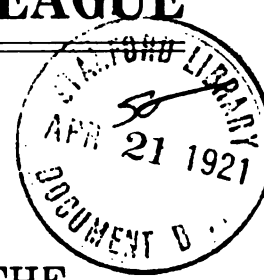

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 20, 1919

PART 12

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman*.

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi
R. W. SAUNDERS, Virginia
T. H. CARAWAY, Arkansas.

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Monday, January 20, 1919.

The committee met at 10 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. The committee will please come to order. Mr. Orth, in your testimony Saturday, if I recall correctly, you stated that the holdings of your firm consisted of stocks and bonds to the amount of $75,000 or $80,000 and about $250,000 worth of Liberty bonds. What is the general character or nature of the $75,000 or $80,000 of securities which you did not define?

STATEMENT OF CHARLES D. ORTH—Continued.

Mr. ORTH. The character of these securities is railway stocks, which my firm has been in the habit of investing in ever since its formation, as its books will show.

Mr. JOHNSON. When did your firm purchase the $250,000 worth of Liberty bonds?

Mr. ORTH. At various times, as the various issues were made. I will be very glad to supply the committee with the dates and the amounts.

Mr. JOHNSON. We will be glad to have it. Is any part of them registered bonds?

Mr. ORTH. No, sir; no part of them are registered bonds, but if you wish to telephone your representative in New York this morning I will also telephone instructions to my firm to take your representative to our safe-deposit vault and show you the Liberty bonds.

Mr. JOHNSON. We have no representative in New York.

Mr. ORTH. Any way you wish to check my statement, then, I will be glad to cooperate.

Mr. JOHNSON. It was not a question as to whether or not you had them; I have in mind only the question when you got them.

Mr. ORTH. Beginning with the first issue we have done our utmost to take all we could possibly swing.

Mr. JOHNSON. Did you purchase these bonds out of cash on hand, or did you turn some other security into cash, and then purchase the bonds with that cash?

Mr. ORTH. The circumstances varied in each case. In making our last subscriptions my best recollection is that in every case we availed ourselves of the offer which I believe was made by all the New York banks to the effect that they would finance any purchases of Liberty loans that people in New York desired to make, at the

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same rate of interest that the bonds carried, making deferred payments until they were finally paid for. But I have no objection stating to the committee that our entire holdings of Liberty bonds have now been paid for in full by us, with the possible exception of one small tag end which I am not sure about.

Mr. JOHNSON. Your firm is Hanson & Orth, isn't it?

Mr. ORTH. Yes, sir.

Mr. JOHNSON. What is Mr. Hanson's full name?

Mr. ORTH. Charles A. Hanson.

Mr. JOHNSON. Where does he reside?

Mr. ORTH. East Orange, N. J.

Mr. JOHNSON. Another member of your firm is Michael J. Smith.

Mr. ORTH. Yes, sir.

Mr. JOHNSON. Where does he reside?

Mr. ORTH. Pelham, N. Y.

Mr. JOHNSON. Who has charge of your London office?

Mr. ORTH. I have, chiefly.

Mr. JOHNSON. In the absence of all three of the partners, who has charge of the London office?

Mr. ORTH. We have a manager in our London office who holds our power of attorney.

Mr. JOHNSON. What is his name?

Mr. ORTH. Ernest W. Walker.

Mr. JOHNSON. Give the committee the address of your London office.

Mr. ORTH. Our London office is at No. 1 Crutched Friars, E. C.

Mr. JOHNSON. I would be glad to have the street and number address of both Mr. Hanson and Mr. Smith.

Mr. ORTH. Mr. Hanson resides at 45 Chestnut Street, East Orange, N. J. Mr. Smith resides at 40 Benedict Place, Pelham, N. Y.

Mr. JOHNSON. Has Mr. Hanson any other business or occupation than with your firm?

Mr. ORTH. No, sir.

Mr. JOHNSON. Has Mr. Smith?

Mr. ORTH. No, sir.

Mr. JOHNSON. I asked you, Mr. Orth, from what sources you got the money with which to pay for the $250,000 of Liberty bonds, and I don't think your answer has been sufficiently responsive to the question.

Mr. ORTH. Well, sir, if you will be kind enough to ask further questions I will try to give you whatever information you want.

Mr. JOHNSON. In reply to that question you said that the banks of New York let the purchasers of Liberty bonds have money at the same rate of interest that the bonds were paying. The inference was to be drawn from that that your firm got money from the banks in New York with which to buy these bonds. Am I correct in that inference?

Mr. ORTH. That was not the inference I desired to convey. What I meant to convey to the committee was—perhaps, if I try to outline an actual transaction, it may help to respond to your question.

One of our subscriptions, I believe, was $100,000. We subscribed to it through our regular bank in New York, and what I believe was called in the application blank "the Government plan," which was that—I forget the percentage that was required to be paid at the

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e the application was made, but it was 5 or 10, or something like t—I can not recall it.

Mr. JOHNSON. What bank was that?

Mr. ORTH. The Bank of the Manhattan Co. Then on another er date another installment was required to be paid; on another te, another installment, and then a fourth and final installment; cording to my best recollection. Now, as those installments became e the bank would send out a notice that on such and such a date payment against your subscription is due," and we would meet it some way. In some cases——

Mr. JOHNSON (interposing). Now, just the particular thing I am ter is the way in which you met it.

Mr. ORTH. In some cases we would meet it by drawing our check n our bank balance for that particular installment and sending it the bank; in other cases we would meet it by asking the bank to nd us the money to do it; and if the details are of any interest to he committee, I will be very glad to give you a statement of the hole thing in full.

Mr. JOHNSON. I am not inquiring so much about detail as I am or a more specific answer to the former question, which in substance vas whether or not you took $250,000 out of your business or out of he securities then held by your firm.

Mr. ORTH. We took $250,000 out of the funds of our business with which to purchase liberty bonds.

Mr. JOHNSON. Of what did the funds consist out of which you took that $250,000?

Mr. ORTH. The fund consisted of cash in bank chiefly, which cash in bank we secured either from the proceeds of the sales of our merchandise or from moneys borrowed from banks, as every merchant does.

Mr. JOHNSON. You have said that you bought $250,000 worth of liberty bonds, and that the remaining assets of the firm consisted of about $75,000 or $80,000 worth of railroad securities.

Mr. ORTH. Not the remaining assets, Mr. Chairman; the remaining holdings of stocks or bonds.

Mr. JOHNSON. Now, I am endeavoring to ascertain from what you took the $250,000 with which to buy the liberty bonds.

Mr. ORTH. We took the $250,000 with which to buy liberty bonds out of the current assets of the firm of Hanson & Orth.

Mr. JOHNSON. Did you sell any securities in order to get the $250,000 with which to pay for these bonds?

Mr. ORTH. We did not, sir.

Mr. JOHNSON. May I ask again out of what assets the $250,000 came?

Mr. ORTH. If my answer——

Mr. JOHNSON (interposing). In other words, let me put it this way: Did you have $250,000 in cash to your credit with which the bonds were purchased?

Mr. ORTH. No, sir; they were purchased at different times. The question of buying $250,000 at one time never came up, but at the time we would purchase, as I said, illustrated before by the example of $100,000 worth, we paid for them out of cash in bank.

Mr. JOHNSON. Yes; but were you constantly or usually carrying a cash balance approximating $250,000?

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Mr. ORTH. No, sir; and the question did not arise.

Mr. JOHNSON. That is the very thing I am endeavoring to get in what way did you add to your ordinary cash balance in bank that you might buy this $250,000 worth of bonds?

Mr. ORTH. By borrowing money at our bank, sir.

Mr. JOHNSON. Upon what collateral did you borrow?

Mr. ORTH. On none. Sometimes the bonds were left as collateral but usually we borrowed on our note of hand.

Mr. JOHNSON. You spoke of other assets of your firm, in addition to the stocks and bonds of railroads, and your liberty bonds. In a general way, of what did the remaining assets consist?

Mr. ORTH. The remaining assets consisted of cash and merchandise.

Mr. JOHNSON. What character of merchandise?

Mr. ORTH. Hemp.

Mr. JOHNSON. Where was it stored?

Mr. ORTH. It was stored in Manila; it was afloat on ships from Manila; it was on the railroads of the United States, and to a very small extent was stored in New York.

Mr. JOHNSON. What was the value of your hemp holdings?

Mr. ORTH. They varied from day to day, sir.

Mr. JOHNSON. What was the average?

Mr. ORTH. I couldn't state, sir, without looking it up.

Mr. JOHNSON. Can't you approximate it?

Mr. ORTH. I should say that it would be something like a quarter of a million dollars.

Mr. JOHNSON. To what maximum did your hemp holdings amount at any period during the war?

Mr. ORTH. During the war?

Mr. JOHNSON. I mean from August 1, 1914.

Mr. ORTH. During the war our maximum hemp holdings may have risen as high as between seven and eight hundred thousand dollars, but that seven or eight hundred thousand dollars, or any other sum to which I have referred as hemp holdings, did not represent our interest in hemp; it always represented our holdings of hemp, most of which had been sold to consumers in this country and was merely held by us between the time that we acquired it in the foreign market and the time we could deliver it to the consumers in this country to whom it had been sold. In other words, I want it distinctly made plain to you, sir, that we never held such large quantities of merchandise as a market operation.

Mr. JOHNSON. I don't want to go too far into your personal affairs, but you have volunteered—virtually volunteered—the privilege to do so by some language which you used on Saturday relative to the private affairs of your firm. If I am correct in that, may I ask what securities the firm held in addition to the Liberty bonds and the $75,000 worth or $80,000 worth of railroad securities?

Mr. ORTH. None whatever, sir.

Mr. JOHNSON. The firm's assets then consisted of the liberty bonds, $75,000 or $80,000 worth of railroad securities, and merchandise which consisted of hemp; and cash?

Mr. ORTH. And cash.

Mr. JOHNSON. Have you any individual holdings of railroad securities?

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Mr. ORTH. No, sir; I have not.
Mr. JOHNSON. Can you say whether or not Mr. Hanson has?
Mr. ORTH. I believe he has, sir; but I don't know.
Mr. JOHNSON. Can you say whether Mr. Smith, your partner, has?
Mr. ORTH. I do not believe he has, sir. I don't know.
Mr. WALSH. Mr. Orth, have you any knowledge as to any activities on the part of the State branch of the National Security League in the State of Iowa?
Mr. ORTH. In the State of Iowa?
Mr. WALSH. Have you any knowledge as chairman of the committee?
Mr. ORTH. No, sir; I don't recall any of their activities, either congressional or other matters.
Mr. WALSH. And I think you stated Saturday that you had no knowledge, as chairman of the committee, as to any activities on the part of the State branch in Wisconsin?
Mr. ORTH. I so stated. If I did not, I will now so state.
Mr. WALSH. Have you, as chairman of the committee, any knowledge, or have you at any time received any information as to any speakers which may have been sent out by the National Security League, or under the auspices of your organization in New York, making political speeches or speeches which urged the election of any particular candidate for Congress?
Mr. ORTH. I believe that the proper answer to that question is no, with the possible exception—and I wish to state this to the committee in order that there may not be thought to be any lack of frankness—that rather persistent charges were made, I believe, by the Socialist Party in New York City, to the effect that the National Security League speakers were participating in the congressional campaign by advocating the election of fusion candidates. I spoke about that matter.
Mr. WALSH. Yes. Well, that was not what I had in mind. I meant outside of New York City.
Mr. ORTH. I have no knowledge of any instance outside of New York City, where the matter was even thought of, discussed, or done.
Mr. WALSH. Have you any relatives that you know of in the State of Iowa?
Mr. ORTH. I have no relatives in the State of Iowa.
Mr. WALSH. Did your organization take any part in the senatorial election in Wisconsin in the Lenroot-Davies contest?
Mr. ORTH. No, sir; we had no thought of it.
Mr. WALSH. Mr. Orth, you stated that the matter of congressional activities on the part of the National Security League was the result of a suggestion made by you to Mr. Menken and some of the other members of the league, after you had joined it, as a result of your wanting to be of service and assist the league in its work.
Mr. ORTH. That is substantially correct, sir. I, rightly or wrongly, believed that I was trying to do a great service to my country, and I approached Mr. Menken and asked him if I could undertake this work under the auspices of the league.
Mr. WALSH. Now, was that the result of any conference or suggestion with or by any other parties before you had talked to Mr. Menken or other officials of the league?

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Mr. ORTH. I had discussed before them the question of what I had called in my own language a congressional propaganda with various personal friends, one of whom introduced me to Mr. Menken.

Mr. WALSH. Who was that?

Mr. ORTH. Mr. Christopher Horning. I have previously testified to that fact.

Mr. WALSH. Now, can you recall any other men with whom you discussed that?

Mr. ORTH. I discussed it at considerable length with Capt. Lucy, who was a member of my committee.

Mr. WALSH. But I mean other than members or officials of the league. Did you discuss it with your partner at all?

Mr. ORTH. I discussed it with my partner.

Mr. WALSH. Mr. Hanson?

Mr. ORTH. With Mr. Smith, very frequently.

Mr. WALSH. Did you discuss it with anybody whom you knew had contributed to the league? This is before you talked with Mr. Menken or the officers?

Mr. ORTH. No, sir; as early as January, 1918, I attempted to try and coin my thought into some sort of action, and with that object in view and without consulting anyone whomsoever I inserted a full-page advertisement in the Outlook, of New York, trying to outline what I had in mind and asking the cooperation of anybody who was interested.

Mr. WALSH. Have you a copy of that advertisement?

Mr. ORTH. I have, sir.

Mr. WALSH. I would like to have that incorporated in the record. You were then a member of the league?

Mr. ORTH. I had become a member of the National Security League, I believe, in 1915, when I sent it some money in answer to one of the advertisements received by mail, one of the circulars received by mail. Until June, 1918, I had, however, had no active connection with the National Security League of any kind, except to receive its bulletins, its circulars, and so forth. According to my best recollection, I had never attended one of their annual meetings up to that time. I had never been in their office up to that time; I didn't know Mr. Menken; I had no connection and no knowledge of anybody in the office prior to that time, except Mr. Henry L. West, the executive secretary, to whom I had received a letter of introduction from Mr. Lawrence F. Abbott, the editor of the Outlook, who, upon seeing this advertisement, had made some inquiry in his advertising department from whom it came and who thereupon called me up and said, "Why, Orth, I am sorry that you went to the expense of this advertisement, because I think I might have suggested some better way."

May I ask to read the advertisement?

Mr. WALSH. May I see it? [Mr. Orth handed a copy of the Outlook to Mr. Walsh.] Yes; I would like that to go into the record.

Mr. ORTH. This advertisement, appearing in the Outlook of March 6, 1918, reads as follows:

PROPAGANDA FOR THE SELECTION OF CANDIDATES FOR THE NEXT CONGRESS FROM THE MOST ABLE MEN IN THE COUNTRY.

This advertisement is the initial step in an endeavor to focus attention upon the vital importance of insuring the selection of candidates for the next Naval

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gress who shall be of the highest type of American citizenship, not only in nterested patriotism but in coordinated vision, judgment, and ability.

reat as are the responsibilities and problems which to-day face the Govment of the country, they sink into relative insignificance beside the terrific onsibilities and complications of the future. This will be true whether peace es in 1918 or the war continues into 1919.

nless constructive action is taken to influence the character of the candies for the Sixty-sixth Congress, there is no reason to expect that they will be ected by any other means or measured by any other standards than those ich have applied in the past.

The election will not take place until November, but "nine-tenths of wisdom being wise in time." It is none too soon to plan to create a Nation-wide mand for the selection of proper candidates. The endeavor should be made appeal and apply equally to every party. But the mandate should become popular and powerful that no party will dare to disregard it, but will be mpelled by the desire for self-preservation to offer its candidacies only to en who measure up to the standard which will have been established in the blic mind.

The cost of this advertisement has been contributed by a private citizen with o ax to grind, and who merely wishes to serve his country in a constructive nanner in her time of need.

Other citizens of undoubted Americanism who are animated by and limited o the same motives are invited to cooperate.

As soon as possible a meeting will be arranged for discussion and organization, but it is desired that replies be sent from any part of the country by men nd women to whom the matter appeals.

It is requested that replies state:

1. Name.
2. Residence.
3. Occupation.
4. Name of firm or company.
5. Position occupied in same.
6. Business address.
7. Whether the incumbent of any public office—National, State, county, or local.
8. Whether active in any political organization; if so, in what capacity or manner.

Address: Congressional Propaganda, post-office box 533, New York.

Mr. WALSH. That was before you had made your suggestion to the president or officers of the Security League?

Mr. ORTH. That was before I had spoken to anyone whomsoever, outside of—to the best of my recollection—my partner, with whom I discussed it casually; my personal intimate friends, who had been my intimates for years, and to whom I spoke in the natural course of ordinary conversation; and no one else except my wife that I can remember.

Mr. WALSH. And after the appearance of the advertisement you did speak to Mr. Lawrence F. Abbott?

Mr. ORTH. After the appearance of the advertisement, to the best of my recollection, the advertising manager of the Outlook called me and said they had received a number of communications from various people, asking if they, the Outlook, were at liberty to say who had published the advertisement, and I told the advertising publisher that I had no objection whatsoever.

Mr. WALSH. But my question was, Mr. Orth: After the appearance of the advertisement you did have some talk with Mr. Lawrence F. Abbott about the subject matter?

Mr. ORTH. Yes, sir; following that conversation with the advertising publisher, Mr. Lawrence Abbott called me up and said to the effect, "Orth, I am sorry you went to all that expense without hav-

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ing previously consulted me, because I might have suggested b ways of going about a thing of that kind."

Mr. WALSH. What was the expense, if you recall?

Mr. ORTH. $300.

Mr. WALSH. Now, Mr. Orth, at that time you had sufficie formulated some plan in your mind to carry out this congressi propaganda mentioned in the advertisement?

Mr. ORTH. Yes, sir; I had tried to formulate some sort of plan.

Mr. WALSH. And, of course, you appreciated the fact that it w be an expensive undertaking?

Mr. ORTH. I did, sir.

Mr. WALSH. And had you made any arrangements about how t expense should be borne?

Mr. ORTH. I had made no arrangements. I had merely for lated a theory as to how I was going to try and take care of t expense.

Mr. WALSH. But it was to be a personal affair at the time that y inserted that advertisement? What I mean to say is, you did n anticipate at that time making it a part of the program of the N tional Security League?

Mr. ORTH. I had no thought of the Security League at that tim

Mr. WALSH. Then at that time there was no congressional com mittee of the Security League, so far as you know?

Mr. ORTH. So far as my knowledge went at that time, the Securit League had no congressional committee.

Mr. WALSH. Now, after your talk with Mr. Menken and Mr. Abbott and Mr. Lydecker, as you understand it, you not being on the executive committee at that time, some action was taken by the organization whereby a committee on congressional activities was formed, and you were made a member of that committee?

Mr. ORTH. Yes, sir. I don't know that this is directly responsive The executive committee of the National Security League, according to my best recollection, had a meeting at which it passed some resolution about having a congressional committee and also another resolution appointing the committee which I have designated at this hearing.

Mr. WALSH. Now, without stating what the plan was which you had in mind at the time, you caused that advertisement to be published, I will ask you if, after becoming a member of the congressional committee of the National Security League, your activities as its chairman in conducting the congressional campaign were in accordance with the plan you had in mind when you caused the advertisement to be published, substantially, if I may use that word?

Mr. ORTH. May I ask if the question is intended to refer to the general plan of the work, or the financing of it, or what?

Mr. WALSH. No; the general plan of campaign which you directed as chairman, whether that was in accord with what you had in mind as to how to accomplish what you outlined in the advertisement?

Mr. ORTH. Substantially. Originally, when I first published that advertisement, I had in mind that it might be possible for citizens in various localities to form local committees which would urge upon all parties the selection of one of the foremost men of that district for nomination at the primaries, and that these committees of local

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people would then do their utmost to vote for the best man selected by any party, without regard to party; and when I joined the league, Mr. Menken and the other members impressed upon me that we must keep our work within the lines of what would be called educational propaganda, and not attempt any activity of such a nature in any district——

Mr. WALSH (interposing). You intended when you caused that advertisement to be published to seek to assist in nominating the best men?

Mr. ORTH. No; I don't think that is a correct interpretation of what I had in mind. What I wanted to do was to try to get the people of every district to insist upon it. I didn't wish to take any part in the nominations.

Mr. WALSH. To assist, I said, in securing nominations of that kind?

Mr. ORTH. I wanted to assist in securing the nomination of the best men, and to appeal to the people of the country districts after the nominations were made to vote for the best man, without regard to party.

Mr. WALSH. But after you became chairman of the congressional committee, you did not participate in what may be termed primary contests?

Mr. ORTH. We did not participate in primary contests. We, however, sent the literature out all over the country, urging the people generally to go to the primaries to vote for the best men.

Mr. WALSH. But the chart, of course, was not sent out until many of the primaries had been held—until after many of them had been held?

Mr. ORTH. As nearly as my recollection will serve me, at the time the chart was sent out, about half the nominations had been made and half had not.

Mr. WALSH. I think that is all.

Mr. JOHNSON. I believe you have just said, in answer to a question put by Mr. Walsh, that you sent out much literature advising the people to vote for the best men who were candidates for Congress.

Mr. ORTH. We sent out considerable literature advising the people to vote for the best men who were candidates for Congress, without regard to party.

Mr. JOHNSON. And was the congressional chart, to which reference had been made so many times, a part of that literature, a part of the literature that you sent out?

Mr. ORTH. The congressional chart was part of the literature which the National Security League sent out.

Mr. JOHNSON. And in that chart you undertook to set out, and you did set out, your opinion as to what Members of Congress had voted right and what Members of Congress had voted wrong?

Mr. ORTH. We set out our opinion as to what Members of Congress had voted right, and what Members of Congress had voted wrong on the measures contained in that chart.

Mr. JOHNSON. So that when you sent out literature affecting congressional races, you did send out literature with that advice to the voters contained in the chart?

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Mr. ORTH. Why, that advice, as you term it, was not any advice to the voter, except educational advice along the lines which I have attempted to describe to the committee in full.

Mr. JOHNSON. You were at the head, according to the advertisement, which you caused to be inserted in the Outlook, of a congressional propaganda, were you not?

Mr. ORTH. At the time that that advertisement was inserted in the Outlook, the congressional propaganda was nothing but a name.

Mr. JOHNSON. Did you not desire to become associated with the National Security League in order to carry out your ideas of the congressional propaganda which you outlined in the Outlook of March 6, 1918?

Mr. ORTH. I desired to become associated with the National Security League in order to give effect to my ideas, as far as possible, but when I became associated with the National Security League I had to consent to doing so under the general regulations which were laid down by Mr. Menken as president of the league, which were to the effect that all the work of the National Security League was educational, and that I must conduct my work along those lines.

Mr. JOHNSON. Do you consider that the fact does not still remain that when you had sent out literature to the people of the United States, advising them to vote for the best candidates for Congress, coupled with your chart as who had voted right and who had voted wrong, that you were not meddling with politics?

Mr. ORTH. I believe that we were not meddling with politics, except in so far as politics may be defined as having to do with public policy, and not in the sense of the word "politics" as it is ordinarily used, and referring to any partisan contest or consideration whatsoever.

Mr. JOHNSON. What do you call "partisan politics?"

Mr. ORTH. I call partisan politics the politics which has to do with the election of the candidate of a certain party, or which has to do with the election of any particular man, without regard to any other conditions or considerations whatever, except the desire for the election of that individual.

Mr. JOHNSON. By sending out a chart stating that one of the candidates had voted right or wrong, without any reference to the opposing candidate, and without reference to a general election, but confining the matter strictly to a primary election, would you call partisan politics?

Mr. ORTH. I would not, sir; so far as my intention and knowledge are concerned. I would not, sir.

Mr. JOHNSON. So, in your opinion, it is not partisan politics for any man or any concern to interfere between two candidates of the same party for a nomination?

Mr. ORTH. It is not partisan politics, in my opinion, to interfere in the manner in which the National Security League did interfere in the campaign.

Mr. JOHNSON. If I understood your first answer, you limited partisan politics to interference between two parties. Please make yourself perfectly clear now as to what character of politics you would call it that interferes between two candidates of the same party, *running* for the same office.

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Mr. ORTH. I should not see any politics in that at all, sir. I don't know any politics could be in it.

Mr. JOHNSON. Seeing no politics in that, then your answer is that you have not interfered in politics in that way?

Mr. ORTH. I am sorry, sir, I don't think I am quite following the question.

Mr. JOHNSON. Let that be the answer, then.

Mr. HARRISON. I asked you last Saturday to give to the committee some letters, one from Col. Lydecker to Mr. West, calling the attention of Mr. West to the fact that Judge Parker and Mr. Coudert had tendered resignation if the chart was not changed. These letters have been handed to me and I want to question you about them. You saw those letters?

Mr. ORTH. I saw the one dated October 11.

Mr. HARRISON. Did you see the one dated October 7?

Mr. ORTH. May I glance at them a moment? [Mr. Harrison handed letters to the witness.] Yes, sir.

Mr. HARRISON. We will talk about October 7th first. It was shown to you immediately, was it, by Mr. West?

Mr. ORTH. It was shown to me this morning by Mr. West, coming down in the cab from the hotel.

Mr. HARRISON. When it was first received, though, in October, you also saw it?

Mr. ORTH. No, sir; I never saw that letter before.

Mr. HARRISON. You never did?

Mr. ORTH. I never saw that letter before.

Mr. HARRISON. Well, why didn't Mr. West call your attention to it. Didn't it relate, in substance or in part, to the activities of the congressional committee and to your work?

Mr. ORTH. It very apparentlly did, sir. I can not answer why Mr. West did not.

Mr. HARRISON. You don't think there were cliques within the Security League, do you?

Mr. ORTH. No, sir. My impression is, after seeing that letter this morning, that the matter had adjusted itself, so to speak, and that was the reason Mr. West had not spoken to me about it.

Mr. HARRISON. Now, let's see the first part:

DEAR MR. WEST: I am returning to you the letter in regard to Breitenstein, Canton, Cashman, and McCulloch—

Who is Breitenstein, Canton, and McCulloch?

Mr. ORTH. Breitenstein was a candidate for Congress in one of the Ohio districts. My recollection is that he was the Democratic candidate. Cashman was at that time the field secretary of the National Security League. McCulloch, I believe, was the Republican candidate for Congress against whom Mr. Breitenstein was running.

Mr. HARRISON. Who was Canton?

Mr. ORTH. Canton? I think it was Canton, Ohio, sir; the town of Canton, Ohio.

Mr. HARRISON. So when he said, "Regarding Canton, Cashman, and McCulloch" he is talking about the city of Canton?

Mr. ORTH. I think so.

Mr. HARRISON. And in this letter he says further: "I presume you will give this to Mr. Orth." That was given to you, was it?

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Mr. ORTH. I think it was shown to me, sir.

Mr. HARRISON. Have you that letter now?

Mr. ORTH. No, sir; I have not. If the letter does not exist in my files it will unquestionably be found in the general files of the league, or some place which Mr. West can tell you about.

Mr. HARRISON. He goes further in the letter and says: "The same question arises regarding his district as that of several others." What does he mean by the "same question"?

Mr. ORTH. I don't know.

Mr. HARRISON. And you haven't that letter? Can you obtain that letter for the committee?

Mr. ORTH. I think so.

Mr. HARRISON. You don't know what question he was talking about when he said: "The same question arises regarding his district as that of several others, and Mr. Orth and I have talked over concentrating our energies on bad districts and passing over the good ones"! That is true, isn't it?

Mr. ORTH. Yes, sir; that is true.

Mr. HARRISON. Col. Lydecker and you had talked over the question of concentrating your energies on bad districts and passing over the good ones?

Mr. ORTH. Col. Lydecker and I had talked over the manner in which our work should be begun, which resulted in the selection of the 47 close districts and the 47 not close districts, which I have already recited to the committee.

Mr. HARRISON. Now, you go further in this letter. Col. Lydecker says: "Mr. Orth is still anxious to have a circularization for funds. He sends me a copy of the Directory of Directories with the names checked whom he would approach. You know the action of our committee upon individual circularization, and he suggests that we might have an appeal sent out which mentions the congressional as part of the work of the campaign. That meets with my view concerning the way to do it. I have told Mr. Orth that we can easily recognize an expenditure of $3,000 for the congressional work. I send to you this directory with the names checked on it, and if you think it wise to have a committee on circularization appointed, we will go ahead actively with the work in that way. It is a good time to do it."

So, carrying out that suggestion, that was done, was it?

Mr. ORTH. The sending out of those circulars?

Mr. HARRISON. Yes.

Mr. ORTH. Yes, sir; carrying out that suggestion.

Mr. HARRISON. And applying to those men whose names you had checked in the Directory of Directories?

Mr. ORTH. Applying to those men whose names had been checked by one of my clerks, under the general instructions about which I have already testified to before this committee.

Mr. HARRISON. You told him some specific names to check, didn't you?

Mr. ORTH. No; I didn't tell him a single specific name to check. I told him to take the Directory of Directories and check off for the sending of the circulars, the men who, from their list of directorships, seemed to be men of importance, and who would be most likely

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have and to give money, as I thought it was necessary to go and money where money was.

Mr. HARRISON. When you gave that instruction to check those men the Directory of Directories, whom you thought might give money, do you think those men who were interested in corporations who were opposed to high income tax; those men who were interested, directly or indirectly, in large estates, that might be opposed to the inheritance tax, or those men who were interested, directly or indirectly, in munition manufacturing, would be more accessible and more easily approached than others?

Mr. ORTH. No, sir; that was not the case; and if for no other reason than the fact that I myself have always been and still am in favor in time of war of a very large income tax and very substantial inheritance tax, and any other method of raising taxes for the help of the Government of the United States in prosecuting the war.

Mr. HARRISON. Were all the other members of the committee, and the others interested, sharing the same view that you shared?

Mr. ORTH. I never had any conversation with anybody connected with the National Security League, regarding income tax, inheritance tax, or any cognate subject.

Mr. HARRISON. You don't know whether those who contributed to the National Security League had those views or not, do you?

Mr. ORTH. I haven't the least idea, sir. I don't see how I could have.

Mr. HARRISON. Your opinion is, though, that Carnegie and Rockefeller and Dupont and Remington and Guggenheim did have the same views that you have?

Mr. ORTH. No, sir; I had no active thought on it, and have not now. I would like to say, in answer to that question, when the Lord goes about making patriots, He sometimes takes in rich men as well as men in other circumstances of life.

Mr. HARRISON. I understand that.

I want to ask you about this letter further. It states—from Col. Lydecker to Mr. West:

> Congressman Austin showed me the cable from France, and I advised his getting out this statement, a copy of which I sent you, which letter Mr. Orth—

Have you got a copy of that statement?

Mr. ORTH. I haven't got it with me, but I can get it and will be glad to get it and send it to you if you so desire.

Mr. HARRISON. I wish you would get it and hand it to us.

Mr. ORTH. I will have to get it from New York.

Mr. HARRISON. Now, have you got that cable that Congressman Austin showed to Col. Lydecker?

Mr. ORTH. I would also have to get that, sir.

Mr. HARRISON. Can you tell the committee what that was?

Mr. ORTH. My best recollection of it was that it was a cable, signed by a number of soldiers, requesting Congressman Austin to run for Congress.

Mr. HARRISON. Where was that? Where was it that Congressman Austin showed Col. Lydecker this cable, if you know?

Mr. ORTH. I don't know, sir.

Mr. HARRISON. And down further in the same letter of October 7 it makes mention of this fact:

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I send you a letter to file from Congressman Austin, which rather indicates, as I have been aware, that the investigation was not very actively in prospect. I suggest that the publicity bulletin refer to this cable from France in Austin's behalf.

Have you that letter from Congressman Austin?

Mr. ORTH. I haven't got it, sir; and I don't recall ever having seen it.

Mr. HARRISON. Will you procure for us that letter?

Mr. ORTH. I will make a note of it.

Mr. HARRISON. What investigation were they talking about in that statement that the investigation was not very actively in prospect?

Mr. ORTH. I don't know, sir. I didn't see it. I didn't see the communication and don't know what investigation he had in mind.

Mr. HARRISON. And Col. Lydecker states to Mr. West:

I suggest that the publicity bulletin refer to this cable from France in Austin's behalf.

What did he mean by that statement?

Mr. ORTH. I should judge he meant that one of the monthly bulletins issued by the National Security League make some reference to that cable.

Mr. HARRISON. In other words, Col. Lydecker, as president of the National Security League, suggests to the secretary, Mr. West, of the National Security League, that the publicity bulletin, which is published by the National Security League and distributed by the same league, take part in a congressional election, at least to the extent of publishing a cable relating to some congressman's election or reelection?

Mr. ORTH. So far as I know Col. Lydecker's mind, I should say not; that his sole desire was to merely make a record of the receipt of the cable.

Mr. HARRISON. Now, Mr. Orth, don't you know that Col. Lydecker intended by employing that sentence in the letter to Mr. West, when he said, "I suggest that the publicity bulletin refer to this cable from France on Austin's behalf," that he at least wanted to put the backing of the Security League behind Mr. Austin's candidacy?

Mr. ORTH. I should say yes to that question.

Mr. HARRISON. Absolutely?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Then, to that extent, of publishing in the official bulletin of the National Security League this letter from some soldiers touching Mr. Austin's candidacy, the National Security League through its president was going to take part in that election. Isn't that true?

Mr. ORTH. To that extent that was my opinion; yes, sir.

Mr. HARRISON. Now, let us go to the letter of October 11. You didn't know about these letters, did you?

Mr. ORTH. No, sir; I did not. I did not see either of them at the time.

Mr. HARRISON. Rather a surprise to you?

Mr. ORTH. Very much surprised I was when I read extracts from them the other day.

Mr. HARRISON. If you had known that Col. Lydecker, president of the National Security League, had suggested any such course as taking part in Mr. Austin's election down in Tennessee, you would

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t have given the answer to the various questions that you have ring the last week, that your league has taken no part, nor did it end to take any part, in any election, would you?

Mr. ORTH. My answers would have been quite the same, I think, nearly every case, Senator.

Mr. HARRISON. Now, let us get to October 11. There is a letter om Col. Lydecker to Mr. West which says:

"Regarding the action of the executive committee, pending the ngressional committee's action"—that's your committee's action, n't it?

Mr. ORTH. Yes, sir.

Mr. HARRISON (reading):

I regret to say that I am threatened with the resignation of Judge Parker nd Mr. Coudert. They desire nothing partisan, but they do claim that the eague should be absolutely just and fair, and that the method characterizing ight and wrong, which the league has adopted, is unfair and unjust; and if he league is not willing to take any steps to rectify that error, they do not eel that they should remain in it.

You saw that letter, didn't you?

Mr. ORTH. I did not, sir.

Mr. HARRISON. Mr. West did not show you this letter from Col. Lydecker on October 11?

Mr. ORTH. Mr. West neither showed me that letter from Col. Lydecker nor did he speak to me about it.

Mr. HARRISON. That criticized your course as chairman of the congressional committee?

Mr. ORTH. Absolutely, sir.

Mr. HARRISON. Don't you think Mr. West should have shown you that letter?

Mr. ORTH. I think he should.

Mr. HARRISON. It was due you to see that letter, wasn't it?

Mr. ORTH. I think it was, sir.

Mr. HARRISON. You still say there is no clique within the executive offices of the National Security League, one against the other, do you?

Mr. ORTH. Absolutely not, sir.

Mr. HARRISON. None at all? Now, this letter goes further and says:

I would be very sorry to have any action taken which would appear to stamp the league as a Republican propaganda organization, and I am very sorry that Mr. Orth makes no suggestion of help toward some action which will appease—

And he did not show you that?

Mr. ORTH. He did not.

Mr. HARRISON. And he didn't mention it to you?

Mr. ORTH. He didn't mention it to me. He didn't show it to me.

Mr. HARRISON. Don't you think Mr. West should have shown you or told you about the contents?

Mr. ORTH. I have already stated that I think he should.

Mr. HARRISON. The letter was touching your actions, and was in criticism of you?

Mr. ORTH. Yes, sir.

Mr. HARRISON. That was written October 11, 1918, was it not?

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Mr. ORTH. I believe it was, sir.

Mr. HARRISON. I will show you the letter. I don't want to have any doubt in the record about it [handing letter to witness]. It is written on National Security League stationery?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Touching official matters connected with the National Security League?

Mr. ORTH. Yes, sir.

Mr. HARRISON. By the president to the secretary, touching the actions of the chairman of the congressional committee?

Mr. ORTH. Yes, sir.

Mr. HARRISON. And still the secretary didn't show you that letter nor tell you anything about what Col. Lydecker was saying touching the chart, and what other members of the committee were saying about it?

Mr. ORTH. That is absolutely correct, sir.

Mr. HARRISON. Don't you feel that they should have spoken to you about it?

Mr. ORTH. I have already stated that I do, sir.

Mr. HARRISON. If they had told you about it, would you have changed your views touching the fairness and justice of the chart?

Mr. ORTH. Why, I might have been induced to change my attitude in exactly the same manner that I was with regard to the Senate chart, but not because I believed that the chart was doing an injustice or that it was wrong; but merely——

Mr. HARRISON (interposing). Or the others thought it was.

Mr. ORTH. But merely as a matter of meeting the views of my superior officers and associates.

Mr. HARRISON. Because they thought it was unfair and unjust?

Mr. ORTH. Yes, sir.

Mr. HARRISON. So, then, it is not only some Member of Congress who think that your chart was unfair and unjust to them, but a very large per cent—a very respectable following—of the officers of the National Security League thought it was unfair and unjust, didn't they?

Mr. ORTH. At the time they did, sir; but I am under the impression that since then some of them have considerably changed their minds.

Mr. HARRISON. Over to your side of the proposition?

Mr. ORTH. Over to my side of the proposition. I want to say right here, Senator, that at that time these gentlemen who were discussing the chart knew next to nothing about it. They came to a meeting of the executive committee with very little, if any, knowledge of the charts, and they were depending entirely, apparently, upon things which others had said to them, and I sincerely believed at the time that there was nothing in it, except, as I have stated to you already, a matter which was more or less partisan in its nature, and on which account, at one of the meetings of the executive committee, I remember distinctly stating to all the critics of the chart, "Gentlemen, the chairman of the congressional committee"—words to this effect—"the chairman of the congressional committee has always realized the absolute necessity of perfect nonpartisanship, but he believes that the same duty of nonpartisanship devolves upon all the members of the executive committee of the National Security League."

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Mr. HARRISON. What caused partisanship to arise in the committee of the league?

Mr. ORTH. Well, I don't know that it arose. The word was used at the meeting, as I have already stated.

Mr. HARRISON. What happened at that meeting, as near as you can recollect?

Mr. ORTH. According to my best recollection, the discussion opened by the reading by Judge Parker of the extract from a letter which he stated he had received from Washington, and which I described the other day, and Mr. Coudert made a speech in support of Mr. Parker's attitude, and Mr. Menken, I believe, made a few remarks in the same direction.

Mr. HARRISON. And you saw from that fight that there was partisanship within the league, and you called their hand on it?

Mr. ORTH. No; I do not think there was partisanship, but the word "partisanship" had been mentioned, I think.

Mr. HARRISON. Did you feel that their criticisms was because they were prejudiced against your action?

Mr. ORTH. No, sir: I believe that their criticism arose from the fact—I can only state my belief—my belief was that their criticism arose from the fact that the league received so much correspondence—a considerable number of letters, from various gentlemen in Washington, some of them Members of Congress, and others, complaining that the chart had been made up in a partisan manner, on account of the inclusion of the four preparedness measures.

Mr. HARRISON. Yes.

Mr. ORTH. And I want to say to you that that correspondence had preceded this meeting. That some of the things which were said at the meeting seemed to me to be exact replicas of the things which had been written me in criticism of the chart as a partisan document.

Mr. HARRISON. Did it line up in the National Security League on that 6 to 5 vote on the resolution, that Republicans to the most extent, voted for approving your course, and the Democrates voted against approving your course?

Mr. ORTH. I am trying to think, sir, of who the six were who voted the other way, so that I could give you an answer to your question. Pardon me, Senator, while I refresh my memory [consulting papers].

My answer to that question is that I don't know the politics of but two of the six men who voted that way, but the politics of those two men is Republican.

Mr. HARRISON. I see, and the politics of the five men who voted to criticise your chart were what, do you know?

Mr. ORTH. Mr. Parker, I know was a Democrat; Mr. Menken I know was a Democrat. I have no knowledge of Gen. Wright's politics, and I have no knowledge of Mr. Bills's politics.

Mr. HARRISON. Mr. Austin is Republican, isn't he: the gentlemen to whom Mr. Lydecker suggested that bulletin should publish that letter?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Now, when was this—the date that this discussion arose?

Mr. ORTH. *At the meeting* of the executive committee?

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Mr. HARRISON. Yes; when the resolution was passed six to five indorsing this chart?

Mr. ORTH. October 16.

Mr. HARRISON. October 16. Now, have you that resolution, or did you put it in the record Saturday?

Mr. ORTH. It is in the record, sir.

Mr. HARRISON. It is in the record. We did get that in the record?

Mr. ORTH. Yes, sir.

Mr. HARRISON. Now, regarding that resolution that was voted, Col. Lydecker in his letter to Mr. West, on October 11, 1918, states this:

"'Menken suggested adding to the resolution which I had desired to have passed, these words:

'Resolved further, that at this time we deem it our duty to emphasize the distinction between those who were blind to the requirements of the future and those who had the vision to see America's needs in order that the people elect wise leaders to aid in the passage of legislation in the coming period of reconstruction.'"

Was that amendment to the resolution ever proposed by Mr. Menken?

Mr. ORTH. Isn't that letter, sir, about the date of October 11?

Mr. HARRISON. Yes.

Mr. ORTH. I think that started it.

Mr. HARRISON. This October 11, says:

"Menken suggested adding to the resolution which I desired to have passed, these words."

Mr. ORTH. I have no knowledge of any resolution of Col. Lydecker's which he wrote on October 11, which he desired to have passed.

Mr. HARRISON. Had Col. Lydecker ever called you in and criticized this chart and even made the suggestion that your activities were in the interest of carrying on a Republican propaganda?

Mr. ORTH. Col. Lydecker had never called my hand, if I am in accord with you about the meaning of that phrase, and prior to this meeting of the executive committee, Col. Lydecker had never had any conversation with me, nor had I had any conversation with any officer of the league, directly or indirectly, with regard to the politics of our work.

Mr. HARRISON. Well, now, what did Col. Lydecker mean, in this letter of October 11, 1918, when he said:

"I will be very sorry to have any action taken which would appear to stamp the league as a Republican propaganda organization, and I am very sorry that Mr. Orth makes no suggestion or help toward some action which will appease.

Mr. ORTH. I can only give my opinion as to what might have been meant, and that is caused doubtless by criticisms which he had received regarding the measures included in the chart—had been letters which came, so far as I remember exclusively from well-known Democrats.

Mr. HARRISON. Well, would not you infer from this language:

I will be very sorry to have any action taken which would appear to stamp the league as a Republican propaganda organization, and I am very sorry that Orth makes no suggestion or help toward some action which will appease.

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That Col. Lydecker thought that you were just the obdurate to any argument to change the chart, or to change your actions as chairman of the Congressional Committee?

Mr. ORTH. I think that construction might be placed upon it.

Mr. HARRISON. Yes; well now, let's go a little further. He says:

I inclose a hot letter received this morning from Bainbridge Colby and a reply which you will send, which I wrote before Judge Parker saw me.

Colby returned Orth's letters with the indignation that you can see and I wish you get Mr. Orth, show him my letter to Colby, which you will then mail unless there is some reason to the contrary.

Were those letters shown you?

Mr. ORTH. I saw the Bainbridge Colby correspondence, except the very last letter which he wrote to Col. Lydecker, and Col. Lydecker's response to that.

Mr. HARRISON. Here is the letter sent them from Bainbridge Colby to Col. Lydecker, written September 28, 1918 [handing Mr. Orth a paper].

Mr. ORTH. Yes, sir; that is the initial letter in the correspondence.

Mr. HARRISON. I want this letter to go into the record, Mr. Chairman. Shall I read it?

Mr. JOHNSON. If you want to, or you can put it in the record without reading it.

Mr. HARRISON. Well, I wanted this letter to go in the record and I wanted the answer that Mr. Orth makes to Mr. Colby. I won't read them. It will take a little time, but in these letters Mr. Colby points out the fact that your chart is unfair.

Mr. ORTH. He points out the fact that in his opinion it was unfair.

Mr. HARRISON. In his opinion it was unfair, and you still at that time argued with him that it was fair?

Mr. ORTH. Yes, sir; as is shown by my reply.

Mr. HARRISON. I think that is all. I wonder who paid for this advertisement in the Outlook called "Propaganda" and signed "Congressional Propaganda, Post Office Box 533, New York"?

Mr. ORTH. I did, sir. Out of my own pocket, without any part of it or portion of it whatsoever having been contributed by the league.

Mr. HARRISON. Did you pay for all the advertising such as that out of your own pocket?

Mr. ORTH. That is the only advertisement that I inserted, sir.

Mr. HARRISON. That is the only one?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, Mr. Orth, while you are on the question of your activities, which you deny were at all political, I want to ask you something about the Ohio district in which Mr. McCulloch was running for reelection—who was his opponent, do you know?

Mr. ORTH. I believe Mr. Breitenstein.

Mr. REAVIS. Do you know his nationality?

Mr. ORTH. No, sir; I don't know it.

Mr. REAVIS. Good American name?

Mr. ORTH. Why, inasmuch as he had been United States district attorney in that district I thought he was probably all right.

Mr. REAVIS. That answers the question as to whether his name is an American name, do you think?

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Mr. ORTH. Why, Breitenstein and a good many other similar sounding names have, I am glad to say, become very good American names in many localities.

Mr. REAVIS. Do you know what his occupation was before he became United States district attorney?

Mr. ORTH. I have no knowledge of him whatsoever, sir, only——

Mr. REAVIS (interposing). The suggestion has been made to me. I don't know whether it is correct or not, that he was the clerk or secretary of Senator Pomerene. Do you know whether that is correct?

Mr. ORTH. I don't know.

Mr. REAVIS. Do you know Mr. Cashman?

Mr. ORTH. I have met Mr. Cashman three or four times in the office of the National Security League, in New York.

Mr. REAVIS. Is he connected in any way with the National Security League of New York?

Mr. ORTH. He is not at this time, sir. I believe he resigned his position very recently.

Mr. REAVIS. What position did he hold?

Mr. ORTH. Field secretary.

Mr. REAVIS. What were the duties of a field secretary?

Mr. ORTH. I can only give my approximate ideas as I gather from contact with him—the duties of the field secretary were to travel around different parts of the country looking after the membership of the league, and business with its branch offices, etc.

Mr. REAVIS. The organization of branches of the league—would that be within the purview of his duties?

Mr. ORTH. I could not answer that, sir; I don't know exactly.

Mr. REAVIS. Did he have any duty with reference to using his good offices or his efforts in congressional elections throughout the United States?

Mr. ORTH. Not that I know of.

Mr. REAVIS. Not that you know of. Now, Mr. McCulloch, either by an extension of remarks, or an address delivered in the House, made an attack on the league, did he not?

Mr. ORTH. He did, sir.

Mr. REAVIS. And was it for that reason that the league interested itself in his defeat?

Mr. ORTH. No, sir. The reason that the National Security League inserted the district in Ohio in which Mr. McCulloch was a candidate in the list of its intensive districts was the same reason which I have already described in extenso to this committee.

Mr. REAVIS. And there was no other reason for their activity except that?

Mr. ORTH. No, sir; there was no reason in his case, or in any other, that I know of.

Mr. REAVIS. Did you ever see the letter that Mr. Breitenstein, signing himself, "Joseph C. Breitenstein, assistant United States attorney," wrote to your executive secretary, Mr. West, on September 25, 1918?

Mr. ORTH. I think I did, sir.

Mr. REAVIS. Do you recall whether or not, Mr. Orth, Mr. Breitenstein in this letter which consists of 14 typewritten pages, devote *himself* exclusively to the efforts of the National Security League in *defeating* his opponent and in electing him?

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Mr. ORTH. Why, I don't recall the contents of the letter with any detail, but I am inclined to believe that that was the case, sir.

Mr. REAVIS. Do you recall that he says in this letter, among other things:

There has been organized for some months a branch of the National Security League, at Massillon, Ohio, the membership of which is composed of some of the leading financiers and manufacturers of that place.

Mr. ORTH. I remember the reference to Massillon, Ohio, but I don't recall the rest of the sentence.

Mr. REAVIS. Do you know that he says further:

The majority of the members of the Massillon branch of the National Security League are outspoken and active in their opposition to McCulloch's reelection?

Mr. ORTH. I only know it, sir, as the result of your reading.

Mr. REAVIS. Do you know what those financiers and manufacturers were manufacturing?

Mr. ORTH. I have not the slightest idea, sir. Might I add, it may facilitate your questions, at any rate it helps to get all the facts before the committee, that when that letter came in it was given to me to read and immediately handed back by me to Mr. West, who wrote the reply, so far as I know.

Mr. REAVIS. The question was: "Do you know what they were manufacturing?"

Mr. ORTH. I answered: "I did not—I do not know, and would not know."

Mr. REAVIS. Do you know whether they were engaged in work under Government contract?

Mr. ORTH. I have not the slightest idea, sir.

Mr. REAVIS. Do you know whether or not this letter contains the following language:

In view of the fact of the opposition of the league to Congressman McCulloch, which was due wholly because of his record in Congress and not because of any antagonism which the league had against him personally and the party whose nominee he is, of course any efforts which the league would make to bring about his defeat would naturally redound to the advantage of the Democratic candidate for Congress, his opponent. It was, therefore, thought that the Democrats should not be active in the formation of the branch of the league at Canton, but should keep in the background as much as possible until after it was organized.

Do you recall that in the letter?

Mr. ORTH. Not clearly, sir.

Mr. REAVIS. Would you deduct from that language that this candidate for Congress, Mr. Breitenstein, was in confidential communication with your executive secretary, looking to the organization of a branch of your league within McCulloch's district?

Mr. ORTH. That correspondence would so show.

Mr. REAVIS. I am not through with the question, Mr. Orth. During the organization of which the Democrats should keep in the background until after its organization, when they were to become actively engaged in it?

Mr. ORTH. The letter would seem to clearly indicate that, but I suggest that whatever reply the executive secretary may have written to that letter would indicate what the attitude of the National Security

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League was, whereas what you see merely indicates what Mr. Breitenstein had in his mind, or might have wished——

Mr. REAVIS (interposing). What Mr. Breitenstein says in this letter at numerous places that he is in constant consultation with Mr. Cashman, the representative of the National Security League, and in organization of this branch, and in stating that he does not say: "It is my judgment that the Democrats should stay in the background:" but he says: "It was therefore thought that the Democrats should not be active," and he states that in connection with the activities of your representative, Mr. Cashman. What I want to know is: Was your league sending a man out there to organize a political opposition to a candidate for Congress, camouflaging it under the cloak of patriotism until after it was organized, when its true character was to be revealed?

Mr. ORTH. It was not, sir. If it was being done by the National Security League, or anybody connected with it, I had no knowledge of any such efforts either directly or indirectly, and I would not for a moment tolerate it, sir.

Mr. REAVIS. Mr. Chairman, I am not going to read this somewhat remarkable letter, written by this gentleman who signs in his official capacity, but I am going to ask that this be inserted in the record at this point.

Mr. JOHNSON. The stenographer will insert it in his record. The letter follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF OHIO,
Cleveland, Ohio, September 25, 1918

HON. HENRY L. WEST,
Executive Secretary National Security League,
19 West Forty-fourth Street, New York

DEAR SIR: May I not express to you my appreciation for the splendid work that has been done in Stark and adjoining counties of this State by your field secretary, Joseph T. Cashman, esq., who, for the past 10 days, has been at the Courtland Hotel, Canton, Ohio, for the purpose of organizing branches of the National Security League? I spent Monday and Tuesday of this week in my home city, Canton, Ohio, and there received first-hand reports relating to the work that your Mr. Cashman is doing there.

At the outset I feel that I ought to explain to you, and through you to the National Security League, just what sort of an environment Mr. Cashman entered when he came to Canton and Stark County. By referring to your chart you will note that Congressman Roscoe C. McCulloch voted wrong seven times out of eight on the preparedness and war measures therein set out, and by a personal analysis of his record and by a perusal of the Congressional Record I have discovered for myself that not only did he vote wrong seven times out of eight on those measures, involving broad questions of public policy and the maintenance of the honor and the prestige of this Nation, and the rights of the citizens thereof, but he sought to amend the declaration of war in such a manner that the President of the United States would have been prohibited had the amendment been adopted, from transporting American troops to Europe; and, that he made a speech on the floor of the House of Representatives advocating the adoption of this amendment, in the course of which he said, in substance, that if we entered this war, we should do so for the purpose of preserving our national rights, and if we succeeded in doing so that we should withdraw and not do anything that would assist the allies. This speech is set out on pages 234 to 235 of the Congressional Record of Thursday, April 5, 1917. Of course, this amendment was not adopted.

Again, I find that when the selective-service act was up in the House, on *Thursday*, the 26th day of April, 1917 (see Congressional Record of that date, *pp. 1216-1217*), he again opposed the transporting of American troops to Europe, *and made a* speech in behalf of his position. Within the past year he has also

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within his power to embarrass the State Department and the Senate by his proper interviews and speeches on the floor of the House, in which he criticised the President and the State Department, and the Senate of the United States, for their delay in negotiating treaties making it possible to compel the drafted friendly aliens residing in the United States to either enter the Army of the Nation to which they owe allegiance, or permit themselves to be drafted into the American Army. So, you will see that it has been his aim and purpose at the time to prohibit the sending of American soldiers to France, and when he failed in that, he has made it appear that we were sending American boys to France and allowing the aliens to take their places in the factories and shops, and to even get the women of the American boys who are making the sacrifice for their Nation in the battlefields of France at this very hour.

In one of the counties which he represents, namely, Holmes County, Ohio, there is quite a settlement of the so-called Amish or Mennonite people, and I am fully advised that McCulloch has been doing all within his power to earn their gratitude by keeping them out of the combatant and noncombatant service, and that as a part of his campaign for reelection he is sending letters to these Amish or Mennonite people who, as a rule, do not go to the polls to vote, telling them that now of all times is the time when they should show their appreciation for those who have been active in their behalf at this particular time—meaning, of course, himself.

So that is has been his aim and purpose to prevent the sending of American boys to France, because it was his view that he would offend the voters of the district which he represented if he were in favor of sending American soldiers to France; and he was active in behalf of this proposition, at least in newspaper interviews, of sending the so-called friendly aliens to Europe because they have no vote; and he was active in behalf of keeping the Amish and Mennonite people out of the service of the United States because they had a vote, and it was their vote rather than the interests and welfare of America that he was interested in. His whole creed and slogan seems to be, "I am for votes and not for America when it interferes with the making of votes."

Now, Canton and Stark County, of course, was the home of, and is now the final resting place of, McKinley, and therefore a strongly Republican community. For some reason or other, beyond my comprehension, this man has been able to camouflage the people of the community to such an extent that they think he has a splendid record in Congress, and that he is a very patriotic man. This is due, to some extent, to the fact that Mr. Albert M. Deuber, the head of the Deuber-Hampden Watch Co., of Canton, Ohio, is and has been his chief supporter, from a political standpoint, for years. McCulloch, before his entrance into Congress, was the attorney for the Deuber-Hampden Watch Co. Mr. Deuber, I am reliably informed, owns one-third interest in the Repository, the Republican newspaper published at Canton, and for that reason the Repository is strong in support of McCulloch. The News, which is supposed to be an independent Democratic newspaper, is owned by Mr. H. H. Timken, head of the Timken Roller Bearing Axle Co., of Canton, Ohio, and Detroit, who was one of the Roosevelt men in Ohio. I understand he likewise is one of McCulloch's supporters. At Alliance, Ohio, there is published a newspaper known as the Alliance Review, the owner of which is a very partisan Republican. The newspaper published at Massillon, the Independent, is likewise a Republican newspaper, published by Miss B. V. R. Skinner, who is the sister of Robert Skinner, consul general of the United States at London, England.

There has been organized for some months a branch of the National Security League at Massillon, Ohio, the membership of which is composed of some of the leading financiers and manufacturers of that place. The majority of the members of the Massillon Branch of the National Security League are outspoken and active in their opposition to McCulloch's reelection, and through their influence the Independent, at Massillon, I am advised, will aid in bringing about his defeat.

When Mr. Cashman came to Canton he met some of the leading men of the community, and they seemed to be very enthusiastic in their approval of his plan to establish a branch of the league at Canton, and some newspaper space was given to him, and the work of the National Security League and his plans for establishing a branch of the league at Canton, Ohio. A day or two later, however, it seems that the henchman of Congressman McCulloch had been advised by McCulloch from Washington that the National Security League was opposed to his reelection, and from that moment on cold water was thrown upon his plan to organize a branch of the league at Canton. In fact, he was advised

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that if he attempted to form a league at Canton on Friday evening of last as he had announced he would, he would receive a severe tongue lashin be thrown out of the window of the room in the Courtland Hotel, at C where the meeting was scheduled to be held. Those who were interested formation of this league at Canton, Ohio, and were helping Mr. Cashman work, never forgot the nonpartisan character of your league. It w thought—it was their thought—that the opposition of the league to Mr. loch was merely an incident in the great work for which the league was ized and which it has done in behalf of this Nation, and which it will c to do during the duration of the war and afterwards. In view of the fac opposition of the league to Congressman McCulloch, which was due wh cause of his record in Congress and not because of any antagonism wh league had against him personally and the party whose nominee he is, of any effort which the league would make to bring about his defeat would ally redound to the advantage of the Democratic candidate for Congr opponent.

It was, therefore, thought that the Democrats should not be active in mation of the branch of the league at Canton, but should keep in th ground as much as possible until after it was organized, after which the join, if they so desired, and become members of the branch. It was w thought in mind that Mr. Cashman was given a list of names of promin publicans of Canton who had been active in patriotic work, such as the of the Liberty bond issues, the sale of war-savings stamps, the canv funds for the Y. M. C. A., the Red Cross, the K. C., etc. When he first sa men they were very much in favor of the organization of a branch in but it seems that Mr. Cashman was closely watched, and hardly had a man, when some one else came to see him and either told him that th for the formation of a branch in Canton had been abandoned or they v erced into not attending the meeting which had been announced for the ization of the branch of the league—so that when the time for the mee rived, on Friday evening, there appeared at this meeting from 25 to 50 all of whom, with the exception of two persons, were either candidates Republican ticket in Stark County this year or were members of the ca committee of the Republican party this fall, or were henchmen of Congr Roscoe C. McCulloch. His secretary, C. C. Curtis, was there at the l the crowd.

Mr. Cashman made a talk, in which he explained the purposes of the told of its nonpartisan and nonsectarian character, and didn't mention a about Congressman McCulloch or his record in Congress. One of McC henchmen who seemed to be the spokesman for the crowd, Mr. Clark W ger, former county treasurer, and formerly a chairman of the Rep county committee, arose and asked if the purpose of the league was not tribute a certain chart upon which was set out the record of Congr McCulloch, showing that he voted wrong seven times out of eight on m relating to preparedness and the war. Mr. Cashman told him that th part of the work of the league this fall—that is, to elect a loyal Congre that if Mr. McCulloch's name and record appeared thereon to his disadv that was the fault of Mr. McCulloch and not the fault of the league.

The report was circulated about Canton on the afternoon previous meeting of the league that McCulloch and his henchmen were going to the plan for the organization of the league in Canton. If they could that, they were going to control the league and nullify its activities in s Canton and Stark County and the district which was represented by C man McCulloch was concerned. But Mr. Cashman was more than a ma them. He invited them to organize a branch of the league, and wh seemed to oppose such a plan, he dared them to refuse to organize a br the league, and they swallowed the "hook, line, and bait," and everyth branch of the league was organized, and the officers of the league, w exception of the honorary vice president and the secretary, were mad strong supporters and friends of Congressman McCulloch.

Another meeting of the league was held on Monday evening. In th time, Mr. Cashman had addressed the Kiwanis Club, of Canton, Ohio; dressed a large Bible class of the First Presbyterian Church at Canton had been successful in organizing a branch of the league at Alliance The branch of the league which he organized at Alliance, Ohio, is compo *large* number of splendid men of the community, and you may look f *results from* the branch at Alliance.

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Massillon branch of the league invited him to address a large meeting of league there, and he is this morning addressing the students and the faculty high school at Massillon, Ohio. Tuesday afternoon he addressed the y of the high school at Canton, and Thursday expects to organize a branch league at New Philadelphia, Tuscarawas County. He made an effort to ize a branch of the league at Wooster, Wayne County, on Tuesday, but his s in that direction have not as yet been successful. He expects to re- an invitation to address the students and the faculty of the college at ster, Ohio, and Mount Union College at Alliance, Ohio.

hen he came to Canton he was told that he ought to interest the Aderaft at Canton, but the head of this club at Canton and the executive committ- of the club were henchmen and supporters of McCulloch, and they could not nterested in this work. In fact, they tried to throw cold water on the osition.

ne of the handicaps under which Mr. Cashman worked was the lack of spaper support in Canton. On Tuesday or Wednesday of last week they ied a large announcement and an interview with Mr. Cashman, telling about purpose in coming to Canton, the purpose of the league, etc., but since that e they have been silent absolutely about the formation of a branch at nton and Mr. Cashman's work. In other words, some one got to the news- ers immediately and stifled all newspaper support.

Mr. Cashman has made a splendid impression wherever he has gone. I pur- sely refrained from attending any of the meetings which he addressed, and erefore did not have an opportunity to hear him, but I have been advised by ople who heard him that he made the best patriotic talk which they have ard during the war. While he may not have secured a large number of embers for the league at Canton, the seed which he has sown there can not lp but redound to the advantage of the league. This league is larger than nton, Ohio, and therefore the efforts of the henchmen of a disloyal Con- essman can not kill the activities of the league there—but when the truth of e matter becomes known, as it is bound to become known, the efforts of those ho have tried to prevent the organization of the league and then to nullify its ctivities thereafter will, within a short time, be an asset to the league, not nly because it may bring about the defeat of McCulloch's election in Novem- er, but because I am interested in having the community in which I reside an rganization which is so potential in creating public sentiment for loyalty and Americanism during the war and the defeat of the purpose of the insidious ropaganda of the pacifists, pro-German and Socialists, in favor of bringing bout an early peace by negotiations. We need such an organization as the National Security League to keep up and strengthen the morale of the Amer- ican people, to the end that this Nation may continue to throw into the scale against the Kaiser and the junkers of Germany, and the things for which they stand, all the resources of the Nation, until we force an unconditional sur- render, and so that after the war we may have an organization in every com- munity of this Nation that will see to it that the American people do not fall into the lethargy and the apathy which was characteristic of America until this Nation was awakened by the National Security League, and patriotic citi- zens and statesmen.

I am writing this in order that you may know that the labors of Mr. Cash- man, which were carried on under the most difficult circumstances imaginable, were not in vain, and that you may fully understand how grateful I am for his being sent there.

Inclosed herein you will find a copy of an advertisement which I prepared and had inserted in the Daily News, Canton, Ohio, on Monday evening of this week, and in the Repository on Tuesday of this week, the Massillon Independent on Wednesday of this week, and in the Alliance Review and Wooster Daily News on Thursday of this week, also in the New Philadelphia Times on Thurs- day evening of this week.

Very truly, yours,

JOSEPH C. BREITENSTEIN,
Assistant United States Attorney.

Mr. REAVIS. Now, let us drift back to the thing I had in mind. I am not going to take a great deal of time, Mr. Orth, because you have been very generous in testifying before this committee, and we have had you on the stand a very long time. Have you got your chart there?

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Mr. ORTH. Yes, sir.

Mr. REAVIS. I understand you to say that it was the judgment of the league that any man that had voted against four of these measures was in bad odor with the league?

Mr. ORTH. Why, I don't think I quite put it that way.

Mr. REAVIS. Well, put it your way. My language is not as good as yours.

Mr. ORTH. I said that the 94 districts in which the education work of the league continued up to early in November had been selected by taking 47 close districts and 47 districts which were not close. In the close districts the 47 districts had been taken where the candidates had voted against the four preparedness measures or had voted either against the McLemore resolution, the Cooper amendment, the declaration of war, or the selective conscription.

Mr. REAVIS. Well, now, the McLemore resolution is one of those measures?

Mr. ORTH (interposing). Pardon me, Congressman, I want to answer the question——

Mr. REAVIS (interposing). I beg pardon.

Mr. ORTH (continuing). I have somewhere in my office, I think I am almost certain—a memorandum which I had submitted to my associates in the league outlining the exact mathematical manner in which the 47 close and the 47 not close districts should be chosen. I believe I can find that memorandum and give it to the committee.

Mr. REAVIS. I am not particularly interested in that. The thought I have in mind just at this moment is that you submit that where they had voted against the four preparedness measures and call particular attention to the McLemore resolution and the Cooper amendment and the selective-service act, do I infer from that language and your previous testimony that you looked upon the McLemore resolution and the Cooper amendment as two vital tests of the eight that you have in your chart?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Very vital?

Mr. ORTH. Yes, sir.

Mr. REAVIS. And if a man voted against tabling the McLemore resolution and voted for the Cooper amendment, you would have considerable question in your mind regarding that man, would you not?

Mr. ORTH. There would be a question in our minds regarding that man, sir.

Mr. REAVIS. And that was the policy that the league had adopted?

Mr. ORTH. That was substantially the policy which the league had adopted.

Mr. REAVIS. Well, now, I want you to turn to the State of Wisconsin in your chart there to the name Lenroot.

Mr. ORTH. Yes, sir.

Mr. REAVIS. How did he vote on the McLemore resolution?

Mr. ORTH. He voted wrong on it, sir.

Mr. REAVIS. How did he vote on the Cooper amendment?

Mr. ORTH. He voted wrong.

Mr. REAVIS. He voted wrong four out of eight times?

Mr. ORTH. He voted wrong four out of eight times.

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Mr. REAVIS. So out of the eight, four being bad, and under that the McLemore resolution being bad, and under that test the per amendment being bad, he was bad by your tests?

Mr. ORTH. On what, sir?

Mr. REAVIS. On all these tests, which you have laid down here?

Mr. ORTH. He was bad on the declaration of war.

Mr. REAVIS. I understand that. But you state you determined re they had voted against four that their contest should be made. I state further that the McLemore resolution and the Cooper ndment were two of the things——

Mr. ORTH (interposing). Yes, sir.

Mr. REAVIS (continuing). Two of the important things?

Mr. ORTH. Yes, sir.

Mr. REAVIS. And, of all those things you enumerated, the fact of ing against four of these measures—the fact of voting wrong on McLemore resolution, and the fact of voting wrong on the Cooper endment makes Lenroot come within the purview of every one of se tests, doesn't it?

Mr. ORTH. Yes, sir. Is this replying, if I say to the committee that case any man with a record like that had been running for Con-ess that we would have included him in one of these districts to hich I have referred?

Mr. REAVIS. Now, you remember the third annual meeting of your ague at the Metropolitan Opera House, an account of which is pub-shed in the bulletin of June, 1918?

Mr. ORTH. Yes, sir; I was there.

Mr. REAVIS. That was shortly after the Wisconsin senatorial elec-ion, was it not?

Mr. ORTH. Yes, sir.

Mr. REAVIS. You remember, Mr. Menken's speech at that time?

Mr. ORTH. Yes, sir.

Mr. REAVIS. I wonder, do you recall this language, which is in the bulletin of June, 1918, giving an account of that meeting:

> Woe be to the seditionist, the enemy of either party. We have rejoiced at victory of loyal men everywhere, but particularly in Wisconsin.

And the victory of the man in Wisconsin was the man who voted bad on every test you laid down, didn't he?

Mr. ORTH. Apparently, sir.

Mr. REAVIS. Do you see any inconsistency in your testimony, and the plan followed by your league, and this speech of Menken's at your meeting at the Metropolitan Opera House in June, 1918?

Mr. ORTH. Why, sir, the question never came into my mind, but simply——

Mr. REAVIS (interposing). Well, it is in your mind now.

Mr. ORTH. It is in my mind now.

Mr. REAVIS. What do you think the president of your league, the man whose genius organized the league, who is a member of your executive committee, rejoicing over the victory of a "loyal man in Wisconsin" whom your league had pronounced disloyal?

Mr. ORTH. Why, our league at that time, hadn't done so, Congress-man. This article which you read from antedated the chart.

Mr. REAVIS. The next month you did do it?

Mr. ORTH. The next month we published the record of the votes, sir.

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Mr. REAVIS. What do you think of the harmony that exist- tween the Menken idea in June, 1918, and the ideas of the chairm of the congressional committee, in getting this chart out 30 da after that speech was delivered?

Mr. ORTH. Well, I don't know just how to express an opinion o that.

Mr. REAVIS. Well, are you in harmony with that proposition?

Mr. ORTH. Personally, I am not, sir; no.

Mr. REAVIS. Was the league, in getting out this chart stating th man Lenroot was wrong on the four measures—stating he was wro on the two principal things, the McLemore resolution and the Coop amendment—was the league in that activity and in its action in ha mony with the speech that this man Menken made in the Metr politan Opera House, in New York in June, when he was congratu lating the country upon the election of a loyal man in Wisconsin

Mr. ORTH. In the way you put it, sir, I should say they were no sir.

Mr. REAVIS. How would you put it?

Mr. ORTH. I would not put it. I mean I never had any thought- I know I have indicated to you what my personal opinion is.

Mr. REAVIS. That is all I want to ask the witness.

Mr. WALSH. Mr. Orth, did you attend that meeting?

Mr. ORTH. Yes, sir.

Mr. WALSH. Well, you knew the result in Wisconsin at the tim that meeting was held?

Mr. ORTH. I did, sir.

Mr. WALSH. And at the time you prepared the chart, you kne that Mr. Menken, at least, was rejoicing over Mr. Lenroot's election

Mr. ORTH. I know of it, by having heard his remark there, bu it made no active impression on my mind.

Mr. REAVIS. And Mr. Lenroot addressed the meeting?

Mr. ORTH. Mr. Lenroot addressed the meeting.

Mr. WALSH. Made a patriotic speech, didn't he?

Mr. ORTH. He made a patriotic address; yes, sir.

Mr. WALSH. And was well received by the members of the leagu

Mr. ORTH. He was enthusiastically received, sir.

Mr. WALSH. And at the time you prepared the chart containi the four wrong votes did you have any particular recollection wi respect to Mr. Lenroot's patriotism or his ideas of loyalty to t predominant sentiment of the country?

Mr. ORTH. Why is your question when I prepared the chart?

Mr. WALSH. Yes, sir.

Mr. ORTH. When I prepared the chart, sir, I had not thought any kind, except to secure an absolutely correct transcript from t Congressional Record of the votes on these measures.

Mr. WALSH. Yes, sir: now, having Mr. Lenroot's spee h, a knowing that he was elected in Wisconsin, and having in mind t four wrong votes, would you say that a candidate with his rec in other respects and with the sentiment he expressed at that me ing, would be an unsafe man to trust in guiding the future desti of the Republic, as one among 96 others?

Mr. ORTH. I can only say in answer to that question, sir, what *think* I have already stated—at any rate, in effect—before this co *mittee*, that I believe that patriotism is a state of mind; that if a m

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voted wrong on various measures and thereafter, if I may use the l, " repented," that there was nothing which stood in the way of omplete and perfect patriotism whatsoever.

r. WALSH. So, by that, do you mean that a man who voted wrong ıt be unpatriotic and afterwards repent and become a patriot?

r. ORTH. Yes, sir; I believe the good Book is a good precedent that belief, sir.

[r. WALSH. So the man might be unpatriotic when he voted ng?

[r. ORTH. Why, he might have been unpatriotic in act without ing intended to be unpatriotic in fact.

Ir. WALSH. That is, he might have voted unpatriotically but have n a most patriotic citizen?

Ir. ORTH. He might have voted in a manner which the overelming opinion of the country would have regarded unpatriotic the time and since; he may, nevertheless, have been doing someng which he conscientiously believed he ought to have done.

Mr. WALSH. Well, at the time of the Wisconsin election there was interesting expression of opinion upon the part of the Chief Extive and widespread interest in that contest, was there not?

Mr. ORTH. In the Senatorship; yes, sir.

Mr. WALSH. Yes, sir. It was pretty generally followed by the ess throughout the country?

Mr. ORTH. It was, sir.

Mr. WALSH. And the result was pretty generally acclaimed as a ictory, which at least was not dangerous to the patriotism of the ountry and the future safety of the conduct of our Government in rosecuting the war?

Mr. ORTH. I don't recall, sir, having followed with any great degree of interest or particularity the general opinion regarding that, ecause at the time I was not active in the league, and only read the veekly newspapers which I have been in the habit of reading and the laily newspapers in New York.

Mr. WALSH. This same Literary Digest which you read from the other day showed a general rejoicing on the part of the press at the election of Senator Lenroot, did it not?

Mr. ORTH. I can't recall, sir.

Mr. WALSH. At least, you were in accord with the expression of Mr. Menken at the June meeting of the National Security League—that the league rejoiced at the election of patriotic men everywhere, including that of Lenroot particularly.

Mr. ORTH. I don't recall having any active thoughts one way or the other. I was not with the committee—in active association with the committee at that time.

Mr. WALSH. But you were a member of it?

Mr. ORTH. I remember it perfectly.

Mr. WALSH. I say you were a member of the league?

Mr. ORTH. I had been a member for some three years previous.

Mr. WALSH. Now, with respect to your active participation in its affairs, have you come across any of your colleagues on the congressional committee, or any member of the executive committee, or any member of the league, who has expressed any dissent or made any criticism of Mr. Menken's statement that the league rejoiced particularly at the election of Senator Lenroot of Wisconsin.

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Mr. ORTH. I don't recall, sir, ever having made the subject a matter of investigation.

Mr. WALSH. I think that is all.

Mr. REAVIS. I would like to ask Mr. Orth one further question. What do you think of the good taste and the courtesy of a league inviting Senator Lenroot to deliver a patriotic speech in the month of June and then, 30 days thereafter, designate him an unpatriotic man?

Mr. ORTH. I think, sir, that any such occurrence as has here been brought out is a very clear and absolute proof of the honesty of purpose and the courage of purpose of the National Security League.

Mr. REAVIS. Well, now, Mr. Orth, if you can see anything in my question about the courage or about the honesty of the National Security League, you have remarkable eyesight. I asked you about the good taste and the courtesy of the league in its inviting Mr. Lenroot in the month of June to deliver a patriotic speech for your league and in the month of July declare him, the man whom you invited to deliver a patriotic speech, a disloyal man on your chart.

Mr. ORTH. I don't know how to answer you, sir, except by saying that from a personal point of view I believe I am sure that I would greatly regret the violation of good taste and courtesy which might be implied, but I said under the circumstances, as the matter was not a personal affair, but a matter which had to do with public policy——

Mr. REAVIS (interposing). Well, we will not drift off into public policy again. What do you think about the good judgment of the league in inviting a disloyal man to deliver a patriotic speech?

Mr. ORTH. Why, I should say that if the National Security League had invited Mr. Lenroot and believed that he was disloyal, that good judgment, that was not good judgment—that it was very bad judgment.

Mr. REAVIS. Well, at the time you invited him and at the time he made the speech he already had made the record which 30 days thereafter you said reflected on his loyalty, had he not?

Mr. ORTH. He had already made that record, sir.

Mr. REAVIS. And 30 days after he had delivered this patriotic speech at the invitation of the National Security League, the league which had given him the invitation, published nation-wide the record which he had already made as reflecting on his loyalty?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, just one other question, which I have meant to ask you several times, and I have forgotten it. A good many of your officers—I don't know that you have done it, but Mr. Menken, in particular, referred with some modesty to the fact that your league had educated the President into his patriotic impulses and had created a nation-wide sentiment so that the public was driving the Congress before them. I notice Mr. Van Dyke, of Minnesota, in the room. He was one that, I think, was wholly bad, was he not?

Mr. ORTH. Mr. Van Dyke voted wrong on all eight measures included in the chart, sir.

Mr. REAVIS. Yes, sir; on every one of them?

Mr. ORTH. Yes, sir.

Mr. REAVIS. Now, I want to ask you whether or not you knew that Mr. Van Dyke is a veteran of the Spanish-American War, and volunteered at the age of 17?

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Mr. ORTH. I have no knowledge of it, sir.
Mr. REAVIS. Do you know that some months subsequent to this ion-wide propaganda of your league, which has had such a marked uence with the veterans of the Spanish-American War, 40,000 of om are in this war, unanimously elcted Mr. Van Dyke, who was loyal on every one of your propositions, the Commander in Chief that organization?
Mr. ORTH. I did not know it, sir.
Mr. REAVIS. You did not know that. I just asked that to find out out it. Do you know that the reason for the absence of any good ect of your nation-wide propaganda on the boys who really fight ars and, knowing that fact you would not be able to answer it. will ask the question definitely. Assuming the fact to be that Mr. an Dyke, whom you say was so disloyal that he voted wrong on ery one of your propositions, was subsequently elected unanimously commander in chief of the Spanish American War Veterans,),000 of whom are soldiers fighting, or were soldiers fighting in the te war, I will call it, the present war, because it is not yet over——
Mr. JOHNSON (interposing). The war with Germany.
Mr. REAVIS (continuing). Can you explain how, if Mr. Van Dyke the type and character of man that you charge him with being, hat these patriotic young men of America should elect him to such ffice?
Mr. ORTH. I can not explain it, sir.
Mr. REAVIS. That is your explanation, isn't it?
Mr. ORTH. That is my understanding, sir.
Mr. REAVIS. And you never knew that until I suggested it here— hat he had been so elected?
Mr. ORTH. I didn't know it, sir; no, sir.
Mr. REAVIS. Well, did you know further, in getting at the influence that your league had with those, other than the Congress and the President, that Mr. Van Dyke's majority was materially increased in his congressional district this year?
Mr. ORTH. No, sir; I don't know whether it was or not.
Mr. REAVIS. You didn't know that?
Mr. ORTH. No, sir.
Mr. REAVIS. That is all.
Mr. WALSH. Mr. Orth, did you say, in reply to a previous question of Mr. Reavis, that Mr. Cashman was a field secretary of the National Security League?
Mr. ORTH. I said that he had been up to a few weeks ago; yes, sir.
Mr. WALSH. How many of those have you?
Mr. ORTH. He was the only one to my knowledge.
Mr. WALSH. Do you know where he now is?
Mr. ORTH. No, sir; I do not.
Mr. WALSH. What was his address when he was engaged on that work for the league?
Mr. ORTH. Why, I have no direct knowledge; but I believe his address was wherever he happened to be, as he traveled from place to place over the country.
Mr. WALSH. He was not a homeless man. I assume he had a home somewhere.

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Mr. ORTH. May I ask, I can get the information?
Mr. WALSH. You don't know?
Mr. ORTH. I don't know.
Mr. WALSH. That is all. Now, with whom, under whose direction did he work, Mr. West's, or your's?
Mr. ORTH. Mr. West's entirely. He was not under me.
Mr. WALSH. It was secretarial work apparently?
Mr. ORTH. I beg pardon?
Mr. WALSH. It was secretarial work?
Mr. ORTH. Yes, sir.
Mr. WALSH. Not related to the congressional committee's activities?
Mr. ORTH. I had never spoken to Mr. Cashman in my life until this work was practically over. I want you to be sure of that.
Mr. WALSH. Did you write him?
Mr. ORTH. I met him in the office one morning and was merely introduced to him and said a few words about the weather, and that is all.
Mr. WALSH. Did you write him?
Mr. ORTH. I don't think I did, sir. If so it would appear in the files in the office, which I understand your examiners have gone over.
Mr. WALSH. Now, Mr. Orth, let me ask you this question. If complaint had come to your committee on the part of candidates for Congress seeking reelection to the effect that your chart was inaccurate, or did a candidate an injustice, or was unfair, you would not have corrected that in these press sheets which you sent out, unless the candidate had replied to your questionnaire, would you?
Mr. ORTH. No, sir; the questionnaire was sent to candidates for the express and avowed purpose of making their own presentations.
Mr. WALSH. Now, then, if a candidate had filed a questionnaire, or had written you a letter complaining that the chart was unfair, and subsequently he received a questionnaire and had not filed it, that you would still refrain from correcting or calling attention to the alleged unfairness?
Mr. ORTH. I think the answer to that question is: "Yes." That inasmuch as we had sent the questionnaires to candidates to enable them to state their side of the case that any correspondence that we had, would not have been published unless under circumstances which I have already outlined before this committee.
Mr. WALSH. Well, some of the candidates did not get their questionnaires until October 2, and if they had been returned within mailing time, plus 10 days, it would probably have been around the middle of October, and that would not have given very much opportunity for distributing the statement of the opinion and correcting any improper or unfairness in a candidate's district, would it?
Mr. ORTH. It would have given ample time, because the questionnaires received from candidates were circulated as one of the very last things that the committee did in the matter, as we believed that that was the fair and proper thing to do.
Mr. WALSH. That was one of the last things done?
Mr. ORTH. Absolutely the last thing done.
Mr. WALSH. So, wherever a questionnaire sought to correct the *impression* of unfairness in a chart that had been sent out in July,

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waited until the last thing in your activities in furnishing in-nation from a questionnaire to correct that unfairness, did you?
Ir. ORTH. Yes, sir; the questionnaires, the printed questionnaires, he 94 districts were not sent out until the very last days of Octo-

Ir. WALSH. And you think that would be as effective to correct unfairness or injustice, if such existed, to wait until the last days October before sending out the information containing that cor-tion?
Mr. ORTH. We thought it would be, sir, and the date was pur-sely made late in order to allow the candidate himself the last say.
Mr. WALSH. Well, the candidate was having his say right along, is he not?
Mr. ORTH. I mean so far as our activities were concerned.
Mr. WALSH. And you waited before you sent out authentic in-rmation furnished on the questionnaire, which you undoubtedly be-ved, and which would correct any impression of unfairness or in-stice, resulting from the chart you had previously sent out, until ractically the 11th hour?
Mr. ORTH. We waited until late in October, as I have said, but from otives directly the reverse of what the Congressman appears to ave in his mind.
Mr. WALSH. Well, then, if you did that, it would not have been s fair to the candidate's opponent, would it?
Mr. ORTH. Why, being human, we did not conceive that we could each that refinement of perfect and absolute fairness which might e attained from approaching the question from a hundred points f view, but we tried to be as fair as we could.
Mr. WALSH. Well, now, Mr. Orth, you are a businessman of wide experience. Although you have repeatedly laid claim to being an average American citizen, I think you have created the impression upon the minds of some of the members of the committee that you are a few grades above the average. I want to ask you as to your judgment upon the matter of fairness. Where you have sent out a chart presenting the records of Members of Congress, not as those records appeared in the Congressional Record, but characterizing the votes as "right" or "wrong" and your publication department has sent out press release sheets commenting upon those records, placing some men in classes from which the only deduction was that a man's patriotism was below zero—some of them at least, and others where the percentage was slight; where in some districts you had sent out telegrams and letters directly mentioning the candidates seeking re-election where you followed it up after the issuance of the chart by other press releases commenting on your work and stressing the importance of a Congress 100 per cent American, do you think, hav-ing done all that, it was exactly fair if you found that you had created an unfair or wrong impression and had treated a candidate unjustly to wait until the last days of the campaign and then in just one press release seek to obliterate all the previous impressions you had been seeking to create?
Mr. ORTH. Why, sir, it seemed to us at the time, quite the fairest thing we could do, and all I can do is to testify to that fact and to what was our desire and intention and I wish to ask——

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Mr. WALSH (interposing). You have answered it: it seemed at the time the fairest thing you could do. I will ask you, Does it seem to you now the fairest thing you might have done?

Mr. ORTH. I think so, sir, for the reason which I gave——

Mr. WALSH (interposing). It is your judgment now or it was?

Mr. ORTH. It is my judgment. I still think it was the best thing for us to do for the reason that if those questionnaires had been sent out and been received they might have been printed in the newspapers of the district immediately and more or less forgotten at the time when the candidate himself was most interested in their effect.

Mr. WALSH. I think that is all, Mr. Orth.

Mr. SAUNDERS. Can you tell the districts into which you sent some of this correcting matter, where you had done the candidate an injustice?

Mr. ORTH. Does the Congressman refer to the questionnaire?

Mr. SAUNDERS. No; you have said that if your chart had done anyone an injustice and afforded you the evidence of it that you would send out the corrections and give as wide circulation to the corrections as you did to the chart. I ask you, Can you tell me into what districts you sent any of this correcting matter?

Mr. ORTH. Why, it is hard to recall them all, sir. I remember one case, a Mr. Daniels, whom I afterwards was told was a brother of the Secretary of the Navy, came in to see me, and he said he was doing so in the interest of Mr. S. Flannagan, who was running in one of the New Jersey districts, and he said that a Mr. Lehlbach in the State of New Jersey had been credited with voting right on the McLemore resolution, whereas he had stated in speeches in the House that he was in favor of not tabling the resolution, and Mr. Daniels stated that his friend Mr. Flanagan felt that he was being done an injustice and would the National Security League do what they could to overcome that. We said, "We certainly would," and we wrote Mr. Flanagan this letter on October 26, when the National Security League's chart was compiled:

OCTOBER 26, 1916

DALLAS FLANNAGAN, Esq.,
20 Broad Street, New York, N. Y.

DEAR SIR: Your letter of the 24th received.

When the National Security League chart was compiled it copied the votes as they appeared in the Congressional Record. Mr. Lehlbach voted to table the McLemore resolution.

Votes to table it were classified "right" because the country regarded them in favor of insisting upon the natural, legal, and constitutional right of Americans to travel on the high seas. The votes against tabling it were classified "wrong" because they favored the surrender of such rights. This was the fundamental principle involved, according to the decision of an overwhelming majority of the American people.

Mr. Lehlbach, in his speech of March 8, 1916, to which you call attention, indicates that he did not vote to table the McLemore resolution because he desired to register his support of this fundamental principle.

We therefore believe that Mr. Lehlbach's speech so modified and qualified his vote that he is not entitled to the credit of voting "right" on the McLemore resolution.

Very truly, yours,

_____,
Chairman Congressional Committee.

Mr. SAUNDERS. Was that a case in which you had done a man an *injustice* in your chart and he complained of it, and you sent out the *correcting* matter?

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Mr. ORTH. To the extent that it appears, sir; and it indicates the ention anl the desire of the National Security League to do as rly as we can exact justice, and we would be very glad—it would e been much better—or at least I would have been much better isfied to-day than I am, if the various gentlemen who considered t they were done an injustice, had answered their questionnaires d so stated, and enabled us to circulate their views.

Mr. SAUNDERS. Let me ask you about Mr. Fuller, of Illinois. To at extent, now, did you send out that letter that you have just read. d you print it and have it circulated?

Mr. ORTH. No, sir; we gave the letter to Mr. Daniels, addressed to e candidate, Mr. Flannagan.

Mr. SAUNDERS. I thought you stated, though, that you undertook give as wide a circulation to the corrections as you did to the circution of the original errors?

Mr. ORTH. Why, in the district in question, sir, we were not conucting an intensive campaign.

Mr. SAUNDERS. Then, you sent your chart into that district?

Mr. ORTH. I don't know whether we did or not, sir. The only cirulation which the chart was given was, as I have already explained o the committee, that it went originally to 1,400 newspapers in arious parts of the country, which are on the regular stencil list—hat is what it is called—of the National Security League, was sent his chart and the digest. Thereafter and until the intensive campaign, the chart was not given any public circulation by the National Security League except to supply it in answer to inquiries for it.

Mr. SAUNDERS. Didn't Mr. Fuller write to you explaining that you had done him an injustice and afford you an opportunity to make a correction of it?

Mr. ORTH. Mr. Fuller, of Illinois?

Mr. SAUNDERS. Yes.

Mr. ORTH. He may have done so, sir; I do not accurately recall it.

Mr. SAUNDERS. The reason I asked that is I notice in one of your bulletins——

Mr. ORTH. Pardon me; I had not answered the question before. But in Mr. Fuller's district we did not wage an intensive campaign.

Mr. SAUNDERS. You did not?

Mr. ORTH. No, sir.

Mr. SAUNDERS. I notice that in one of your bulletins evidently Mr. Fuller had written to you calling attention to the fact that you were doing him an injustice in connection with the vote on the McLemore resolution, and instead of correcting it you attacked him in the bulletin for trying to evade "the consequences of his act." You did not circulate any correction there, evidently.

Mr. ORTH. No, sir; because Mr. Fuller's votes came within the category of the mathematical basis upon which the intensive districts had been waged. Now, Mr. Fuller's district was not an intensive one.

Mr. SAUNDERS. So, if you did a man an injustice in a district where there was no intensive campaign, you did not correct it. That was your attitude?

Mr. ORTH. Why, we did correct it, sir, when the matter in connection with the intensive campaigns were sent out; but that was not done in Mr. Fuller's district, because he had no opponent. No activity was attempted there at all.

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Mr. SAUNDERS. No; but you attacked Mr. Fuller in that bulleti
Mr. ORTH. I don't recall the circumstances, sir.
Mr. SAUNDERS. I put it into the record to show they had, and a
you about it.
Mr. ORTH. I remember the bulletin and some reference to it.
Mr. SAUNDERS. And I wondered at the time why you did not
to Mr. Fuller's qualifying statement the same credit that you
to the Senators' qualifying statements. I never have been abl
find out why you made that difference between House Members
Senate Members.
Mr. ORTH. Why, the reason probably was at the time that
lication was made in the bulletin, sir, that while we had in our
ferences concluded that anybody who had voted wrong on the t
measures—the vote shows that Mr. Fuller voted wrong—so a
whose record ought to be sent to the candidate or people when
began, and the selecting of the intensive districts had not yet
taken up.
Mr. SAUNDERS. But that is not the situation, Mr. Orth, for de
with the Senators, when the Senators get up and made spe
calling attention to their reasons for their vote in connection
the Gore resolution, which was the counterpart of the McLe
resolution, you gave them so much credit for their qualifying s
ments that you would not even undertake to appraise their v
whether they were right or wrong. Now, Mr. Fuller appears to
sent you the same explanatory statement as to the effect of a
against laying the McLemore resolution on the table. You proce
in your bulletin to attack him, and practically wrote him tha
last estate was worse than his first. What I am asking you is
did you do that and not give him the same credit that you ga
the same connection to the Senators?
Mr. ORTH. Why, because the answer to that, sir, is that in
Fuller's case there were other conditions existing which vi
affected the whole matter.
Mr. SAUNDERS. Well, now, you are simply dealing with the
Lemore resolution vote.
Mr. ORTH. Why, then, sir, I submit that the question is a mo
less abstract one, because what was passing in our minds at the
was that Mr. Fuller had also voted against the Cooper amend
and the declaration of war.
Mr. SAUNDERS. Doubtless, too, Senators had also some other
in addition to their votes on the Gore bill.
Mr. ORTH. Well, sir, I have already explained in regard to
Senators that the reason the senatorial chart was made up in
manner was that the Senators' attitude in connection with the
on the Gore resolution is stated in the Congressional Record, acc
ing to the custom of the Senate.
Mr. SAUNDERS. You could have gotten Mr. Reavis's attitude
respect to the McLemore resolution from the debate over the
lution.
Mr. ORTH. I could have gotten that, sir, by a very extensive r
ing.
Mr. SAUNDERS. No more extensive than the reading of the S
debates——

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Mr. ORTH (interposing). And by going into another theory which were seeking to avoid—the interpreting of the attitude of the embers except by their recorded votes.

Mr. SAUNDERS. That is precisely the thing I am calling your atten- on to now, and to which, having called your attention heretofore, ou determined the Senators' attitude by looking at their speeches. ou did not look to their votes exclusively by any means.

Mr. ORTH. Why, sir, I submit that——

Mr. SAUNDERS (interposing). Now, with respect to McCulloch: I nderstood that he stated in a speech that he would not vote in favor f the McLemore resolution under any circumstances. Now, why lidn't you treat him with respect to the deductions to be drawn or is vote in his speech precisely as you treated the Senators? Now, if here is any explanation of the distinction that you made between the Senators and the House Members upon precisely identical states of facts, will you put it in the record?

Mr. ORTH. Yes, sir. The distinction is this: That in accordance with the voting customs of the Senate, Senators frequently rise in their places on the floor immediately after the recording of a yea-and-nay vote and state their reasons for having voted as they did, or for not voting, as the case may be: that they do it in clear and unmistakable and brief language so that there can be no question of interpretation of what they mean; and that in effect the reading of the Senate minutes with regard to the votes under those circumstances can not possibly leave any kind of doubt in the minds of the readers as to the attitude of that Senator; that in the House the distinction is that speeches of more or less considerable length require to be gone through and interpreted according to the opinion of the individual mind interpreting them, just what we wanted to avoid.

Mr. SAUNDERS. Well, take the case in which the House Member had done precisely what the Senator did; in other words, in clear, precise, and unambiguous language set forth his attitude with respect to the vote. Now, that would put him in the same category as a Senator? Why, in such a case as that, couldn't you give to the House Members the same credit of interpretation that you gave to the Senate?

Mr. ORTH. It could not have been done, sir. I have tried to explain to you what the——

Mr. SAUNDERS (interposing). But you just don't do it?

Mr. ORTH. We just didn't do it.

Mr. SAUNDERS. Was not the evidence available to you with respect to the House Members?

Mr. ORTH. It was available; but in our opinion it seemed that it would involve the question of stating our opinion rather than just a question of a definite fact.

Mr. SAUNDERS. Well, now, can you explain why it would involve a stating of your opinion with respect to the House Member doing a certain indicated thing and it would not involve a stating of opinion on your part when a Senator did precisely the same thing?

Mr. ORTH. I am only stating to you, sir——

Mr. SAUNDERS (interposing). Aren't you just in a position where you are just seeking to defend the league under the idea that whatever charges were preferred against it you must defend it without regard to the merits of the situation or to the reality of facts?

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Mr. ORTH. That is not my intention. I have tried to be perfectl frank with the committee.

Mr. SAUNDERS. Well, if that is the case, will the stenographe please read my last question, and I ask you to answer it?

The stenographer read as follows:

Well, now, can you explain why it would involve a stating of your opini with respect to the House Member doing a certain indicated thing and it wo not involve a stating of opinion on the part of a Senator who did precise the same thing?

Mr. ORTH. For the reason that I have already stated, the langua of the Congressional Record is so clear and specific with regard t the attitude and position of the Senators that there could be no mi take——

Mr. SAUNDERS (interposing). Well, now, I will state this then little differently. Assume in this case that has been started before in the case of Mr. Reavis. His language was very clear and as pr cise and as unambiguous as ever fell from the lips of any Senat Now, will you tell me why, as plainly as was his speech in that r spect—as plain and clear as if he had uttered it in the Senate—w you tell me why he was not entitled to the same benefit of interp tation as you accorded to the Senate?

Mr. ORTH. Why, we felt that Mr. Reavis, and everybody else question in this situation, had some rights in the matter and we tri to give Mr. Reavis an opportunity to state them.

Mr. SAUNDERS. But didn't you give the benefit upon that state fact to the Senate without calling on them. Now, you put M Reavis in an attitude in which he had to make defense. You a quitted the Senators without calling upon them. Now, tell me w you did not go to the record in Mr. Reavis's case and read wh Mr. Reavis had to say, which was as clear and explicit as I have a ready stated, as any statement made by any Senator, and then p him in the same category that you put the Senators?

Mr. ORTH. The only reason I can give is this, that when the c gressional chart was being made up the conferences regarding t manner in which it should be made up were distinctly to the eff that it would be utterly unsafe to do anything, except to state t recorded vote, but that was done without any thought of th exceptions.

Mr. SAUNDERS. In other words, if a House Member said in resp to his vote very clearly and fully why he voted, and what his attitu was, even though that statement on his part was as clear and explicit as the statement of the Senator explaining his vote, you s not think it was right with respect with the House Member to pu lish the same sort of chart as published with respect with the Se tors?

Mr. ORTH. No, sir. I might say that at the time the House ch was being made up that no thought was had of the Senate chart- mean any thought of what was going to be put in it.

Mr. SAUNDERS. Now, I will ask you a question. If the Congr sional Record shows that Mr. Reavis made the same sort of sta ment with respect to his vote on the McLemore resolution that t Senators made with respect to the Gore resolution, don't you thi *that* he ought to have had the same treatment as the Senators?

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Mr. ORTH. I think he ought, sir, and he, in my opinion was given ne same opportunity. If Mr. Reavis had answered the questionnaire nd made that statement it would have been sent out throughout his istrict by the National Security League.

Mr. SAUNDERS. Don't you think when you issued the Senate hart on a certain state of facts which was that various Senators ad qualified their votes by statements on the floor of the Senate, hat you ought to have issued a House chart upon precisely the same rinciple—namely giving those Members who had made qualifying tatements in the House, which were found in the Record, the benefit of the same.

Mr. ORTH. Yes, sir; I think it ought to have been, but as a matter of fact my view would have gone the other way and made the Senate chart——

Mr. SAUNDERS (interposing). That may be——

Mr. ORTH (interposing). Agree with the House chart.

Mr. SAUNDERS. Then Mr. Reavis was entitled to what you gave the Senators presuming that the record shows clearly and unequivocably that he made the statement with respect to his vote that the Senators made in respect to theirs.

Mr. ORTH. Mr. Reavis was entitled to, and was given an opportunity, by the National Security League, to clear that up.

Mr. REAVIS. I wish you would get the letter you sent to me, and my reply to it. I would like to have it appear in the record.

Mr. SAUNDERS. I will ask you: Ought not that chart have been issued in the first instance with respect to Mr. Reavis precisely as it was issued in the first instance in respect with the Senate, if the facts were the same?

Mr. ORTH. I can only say in answer, sir, that the issuing of the chart was based upon the strong conviction and agreement among the members of the committee and the executive members of the Security League that the chart should show nothing but the votes.

Mr. SAUNDERS. Yes; an attitude, which when you came to publish the Senate chart, was modified. That is true, isn't it?

Mr. ORTH. I beg your pardon?

Mr. SAUNDERS. An attitude which, when you came to publish the Senate chart, was modified.

Mr. ORTH. Was modified to that extent, sir.

Mr. SAUNDERS. Well, then, we certainly can get back to the situation that if that was a correct attitude with respect to the Senators, the House Members standing in the same situation ought to have had the benefit of the same attitude, had they not? Now, I think you can give a "yes" or "no" answer to that.

Mr. ORTH. Oh, yes; I should say "yes," as a matter of abstract justice, yes.

Mr. SAUNDERS. Very well, then if the Senate chart was a correctly published one, you will admit that with respect to Mr. Reavis, your chart certainly did him an initial injustice.

Mr. ORTH. Exactly. I think all——

Mr. SAUNDERS (interposing). If the Senate chart, now, was a correct one, this, the House chart, with respect to Mr. Reavis certainly did him an initial injustice didn't it?

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Mr. ORTH. Did him an abstract injustice which he could have corrected if he wished to do.

Mr. SAUNDERS. Let it go at that.

Mr. REAVIS. You mean substantial?

Mr. SAUNDERS. Possibly a technical injustice?

Mr. REAVIS. Well, will you put in the Record, Mr. Orth, the statement of the reply I wrote to you?

Mr. ORTH. I wish to submit for the record a letter from Mr. Reavis dated Washington, September 28, 1918:

HOUSE OF REPRESENTATIVES.
Washington, D. C., September 28, 1918.

The NATIONAL SECURITY LEAGUE (INC.),
19 West Forty-fourth Street,
New York City.

GENTLEMEN: Replying to your favor of the 23d inst., regarding a questionnaire recently sent me and to which I did not reply, permit me to say that I am conscious only of the obligation I owe my country and the people whom I represent. I would as readily write you of my loyalty to my wife and children as I would to write you pledging you in effect my loyalty to my country. Frankly, and with no desire to be offensive, I would welcome your inquiry in the one case about as much as I do in the other.

May I ask of you the conditions which justify you in asking a pledge of me that I will support that kind of peace which meets with your approval? Did you ever think that a local place as the end of the world's war would be a tragedy. The peace you suggest leaves undetermined many of the issues involved in this controversy and which for years have been a source of international irritation and which are among those causes of which war is the effect. I can not pledge the peace you suggest, though just what a Member of the House will have to do with peace terms is beyond me. I am opposed to any negotiated peace, if my present mental condition is of interest, and I am opposed to peace terms that are not sufficiently comprehensive to finally determine the issue involved.

Yours sincerely,

C. F. REAVIS.

I also wish to state my reply, October 4, 1918, in reply:

OCTOBER 4, 1918.

Hon. C. F. REAVIS,
House of Representatives, Washington, D. C.

DEAR SIR: We duly received your letter of the 28th ultimo.

It seems to us that as candidate for election to the "Congress of the United States" (see section 1, Article 1 of the Constitution) that the people of the United States whose Congressman you are fully as much as you are the Congressman of the people of the first district of Nebraska, have a right to know something about the views which will govern the votes which are going to affect the life, liberty, and pursuit of happiness of every citizen of the United States.

We have not asked you to pledge yourself to support the kind of views that meet with our approval but have asked you whether you would support the kind of views that an overwhelming majority of American Americans demand.

Our chart showing the congressional vote on preparedness and war shows that you voted wrong on the McLemore resolution, the Cooper amendment, and the declaration of war—the first two measures of great importance and the last a measure of paramount importance. It also shows that your votes on measures 3 and 4 were cast against the principle of preparedness. Our questionnaire was sent you to enable you in your own way and in your own words, to present your side of the case.

Very truly yours,

_____,
Chairman Congressional Committee.

Now, I greatly regret that Mr. Reavis did not present his side of the case on the McLemore resolution.

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Mr. SAUNDERS. I just call your attention to one thing: At the time that you sent him this questionnaire had you sent him a chart?

Mr. ORTH. No, sir.

Mr. SAUNDERS. Well, now, you said a moment ago that you sent a man the questionnaire to give him an opportunity to correct the injustice of the chart. How could he correct the injustice on a paper which had never reached him?

Mr. ORTH. Why, because I believe practically every Member of Congress knew of the chart and had seen it at that time.

Mr. SAUNDERS. Well, you are very much mistaken. Now, here is a colleague I am told who did not see it. You sent me a questionnaire somewhere along about the middle of October, and I never had seen a chart until we got into this inquiry, and you said yourself you were trying to get information upon which to send out these charts to the Members. Now, was it?

Mr. ORTH. Yes, sir; that is correct.

Mr. SAUNDERS. Again, you say very positively that even if you had done Mr. Reavis an injustice in the chart that in the questionnaire you gave him the opportunity to correct it. Now, there is nothing in the questionnaire there that would call to his attention any injustice concerning the chart, and he never received a chart.

Mr. ORTH. That principle you outline, sir, is correct, and I regret it, but nevertheless in this particular case this letter to Mr. Reavis corrects the vote on the McLemore resolution.

Mr. REAVIS. Your reply letter to my letter mentioned the vote on the McLemore resolution, but the questionnaire said nothing about it.

Mr. ORTH. The questionnaire said nothing about it.

(The following letters were submitted for the record:)

UNITED STATES SHIPPING BOARD,
Washington, September 28, 1918.

CHARLES E. LYDECKER, ESQ.,
President National Security League,
2 Rector Street, New York City.

MY DEAR MR. LYDECKER: I have been looking over the chart issued by the National Security League, in which the action of the Members of Congress on certain bills is indicated for the purpose of classifying the sheep and the goats, or in other words the loyal and the disloyal. It is not conceivable to me that you would approve this chart if you took the trouble to examine it closely, and from my knowledge of the splendid men and women who constitute the league membership I am sure they would be very unhappy to learn that the sanction of its name had been given to a document which is so unjust in the conclusions it invites, and so disingenuous in the method which has been adopted in its preparation.

Such a chart might be very useful if it were done right, but it becomes a very mischevious thing if it is done badly, and a very sinister and vicious thing if it is done in a slick or pettifogging way.

It can hardly be said to be well done when the result to which it leads it to classify such Congressmen as Mr. Flood, of Virginia, on the same plane of loyal and effective support of the Government's war program with such Congressmen as Mr. Cooper, of Wisconsin, who failed of renomination in his party primary owing to his persistently obstructive tactics during the last two years. Pursuing the inquiry as to whether such a preposterous result is reached by processes which are merely bungling and unskillful, or whether something very different from honest error is the explanation, I call your attention to the measures which have been selected as the tests of congressional virtue. Of course, you will agree with me at one that the selection of the measures which shall be used in making such a test should be very conscientiously made, and without any possibility that the votes thereon can have been dictated by any desire except *that of promoting* or of obstructing an honorable and patriotic *policy on the part of the* Government.

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Eight measures were selected by the National Security League as affo
a proper test. Four of them, namely, the McLemore resolution, the declar
of war, the conscription act, and the Cooper amendment to the armed neut
bill, no one can take exception to. The other four, however, were r
Republican amendments to administration bills, embodying the admi
tion's preparedness program. These proposed amendments were party
ures, sustained almost without exception by the Republican Party, from
they emanated, and opposed almost without exception by the Democratic P
which was endeavoring to carry out the administration program.

Still taking as a basis of comment the weird parity which the Nation
curity League works out in the case of Mr. Flood and Mr. Cooper, I se
while Mr. Flood voted with his party associates against the four Repub
Party amendments to the Administration's program he voted in favor o
declaration of war, in favor of the conscription act, against the McL
resolution, and against the Cooper amendment to the armed neutrality
On the other hand, Mr. Cooper, while voting wrong on every one of the cr
measures, namely for the McLemore resolution, and for his amendment to
armed neutrality bill, and against the declaration of war and against the
scription act, still by reason of his voting with his party in favor of the
relatively unimportant amendments above mentioned he reaches, in the eye
the National Security League, a plane of patriotism equal to that of a
whose course has always been consistent and flawless from the standpoin
the most exacting Americanism. I haven't time to detail to you in this le
all the travesties of classification which the chart discloses.

This chart is being utilized by the Republican Party as a pronouncem
upon the patriotism of the Members of Congress. The implication is that
classification is scientific and disinterested. It carries the prestige of the N
tional Security League. This prestige is very real and should not be smir
by any act that does not square with fair dealing and honest motive.

I am writing in the most friendly spirit. You who have had so much to
with the organization of the league, and to whom its success is so large
due, should be acquainted with the fact that in some way, which demand
an explanation, some of its officers or employees have been cajoled or beguil
into issuing a document which is absurd on its face, which does grave i
justice to good men, and which lends itself to a partisan use, which to s
the least is most unworthy.

Yours, very truly,

BAINBRIDGE COLBY.

SEPTEMBER 28, 1918

S. STANWOOD MENKEN, Esq.,
52 William Street, New York City.

MY DEAR MENKEN: I duly received yours of the 25th. The matter about
which I telephoned you is quite fully set forth in the inclosed letter to Mr
Lydecker, of which I send you a copy. I called you up when I was in New
York because I overlooked for the moment the fact that you had retired as
president of the National Security League and had not in mind at the moment
that Mr. Lydecker was now its president. Your letter reminds me of that
fact, and I have addressed my letter to Mr. Lydecker.

In view of the fact that I am not a member of the league, I suppose I should
not venture any suggestion as to its course in this matter, but I think that I
have shown my confidence in the league and have received so many marks of
friendliness on its part that my sincere solicitude for the correction of a very
grave inadvertence or mistake will not be questioned.

Yours, very truly,

Inclosure to Mr. Charles E. Lydecker.

SEPTEMBER 30, 1918.

BAINBRIDGE COLBY, Esq.,
United States Shipping Board, Washington, D. C.

MY DEAR MR. COLBY: I thank you very much for your letter of September 28
regarding the chart of the Security League. You must observe that that chart
does not appreciate or seek to appreciate the relative values of the votes there
recorded. They are, however, recorded with a full description of the subject

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ter and speak for themselves. The result of that vote is not at all one that sifies Mr. Flood and Mr. Cooper as equal or on the same plane. It would, ever, be far from my wish to have anything indicating a partisan slant on part of the Security League. You do not suggest any remedy. The chart truthful one, and its misuse should be visited upon the misusers. I will e up the matter immediately and try to insure equal and exact justice.
nd with kind regards to yourself, I am,

Yours, very truly,

———— ————.

OCTOBER 3, 1918.

. BAINBRIDGE COLBY,
United States Shipping Board, Washington, D. C.

DEAR SIR: Col. Lydecker has handed me your letter of September 28 and py of his reply of the 30th ultimo and has asked me to rehearse the facts to ou in order that you may understand that the work of this committee has een conceived and conducted with no thought or consideration of politics or artisanship; also that the work is disinterested, with no motives or aims xcept those which are openly avowed.

I regret that you deemed it necessary or proper to resort to unpleasant ad-ectives and insinuations. These, however, have nothing to do with the essence f the matter, to which I will confine myself.

The National Security League must decline any discussion based upon com-arisons between political parties or which considers the acts of candidates olely from a partisan standpoint. The rank and file of the members of the National Security League, who, we believe, represent the consensus of public pinion of the country as nearly as such a thing is possible, will persist in a point of view which concerns itself only with the inherent character of the measures under discussion.

Your letter specifically approves of the four measures included in our chart as Nos. 1, 6, 7, and 8; so these require no further reference.

The reason why measures 2, 3, 4, and 5 were included in our chart is that they are the identical measures which were selected by the National Security League in 1916 as test votes on preparedness, and were given in a pamphlet, of which a copy is inclose, which you will note is dated July 1, 1916, and entitled "The vote by States in the Senate and House of Representatives on preparedness measures."

You will further note the following on page 20 of the pamphlet:

"The foregoing votes are the only ones that show real preparedness record of the Senator or Representative. Other so-called preparedness legislation has passed both Houses, most of which was without a record vote."

When our chart was compiled it seemed to us a natural and obvious thing to adopt the same tests that the National Security League had selected over two years before, particularly as these tests involved basic and fundamental principles of preparedness. Moreover, they were measures which afforded the unanswerable verdict of a yea-and-nay vote. If we had adopted any tests of candidate's attitudes which were not accompanied by this indisputable demonstration, we would have laid ourselves open to proper criticism and comment.

The illustration respecting Mr. Flood of Virginia and Mr. Cooper of Wisconsin, which you cite, has been previously presented to us. We quote our reply:

"The National Security League distinctly does not consider Mr. Cooper's record as good as Mr. Flood's; and our chart does make this clear. We carefully and prominently explained each of the eight measures, so that the public could form conclusions regarding the degree, as well as the number, of right and wrong votes.

"We believe that Mr. Flood should have advocated preparedness—not only for the safety of the Nation, but also as a preventive of war. But we are not bigoted enough to allow this difference of opinion to blind us to his character and ability and great experience in Congress We believe that Mr. Cooper's anti-American votes in the Sixty-fourth and Sixty-fifth Congresses vitiated all other considerations, and should be known by an American constituency."

In a letter dated September 12 we wrote as follows to a citizen of Wisconsin, who criticized our presentation of the record of a Republican candidate for Congress:

"Under the circumstances it is to be hoped that the Democrats will afford the loyal citizens of your district the opportunity to vote for a man of their own kind, by nominating a 100 per cent American and war-until-victory Member to Congress."

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These instances illustrate our policy and attitude, and will, we believe, be accepted by fair-minded men as proof of our nonpartisanship and fairness.
I will be glad to reply to any further questions that you may ask.
Very truly, yours,

_____, _____,
Chairman Congressional Committee.

(Whereupon at 1 p. m. o'clock the committee adjourned to 2.15 p. m. o'clock this day.)

AFTER RECESS.

The committee reconvened, pursuant to the taking of the recess, at 2.15 o'clock p. m.

TESTIMONY OF CHARLES D. ORTH—Resumed.

Mr. JOHNSON. Mr. Orth, I do not want to appear to be persistent about it, but thus far I have not gotten any clear or comprehensive statement from you relative to the fund out of which you purchased the liberty bonds of which you have spoken and which you yourself voluntarily brought into the testimony. I have asked several ways with a view of getting at it, and now I will try another. What is your fiscal year—beginning the 1st of January and ending the 31st of December?

Mr. ORTH. Yes, sir.

Mr. JOHNSON. Do you remember the value of your firm assets on the 1st day of January, 1913?

Mr. ORTH. No, sir.

Mr. JOHNSON. Can you approximate them?

Mr. ORTH. I could not do that at that date, sir.

Mr. JOHNSON. Approximately, can you state the total amount of the assets of your firm on January 1, 1914?

Mr. ORTH. No, sir; I can not, offhand. But I will be very glad to furnish that information to the committee if the committee believes it is necessary or material.

Mr. JOHNSON. Can you give the approximate value of the firm's assets on August 1, 1914?

Mr. ORTH. No, sir; I can not, offhand.

Mr. JOHNSON. Can you give it on the 1st day of January of any subsequent year since the 1st day of January, 1914?

Mr. ORTH. Why, I can give it on the 1st day of January, 1915.

Mr. JOHNSON. What was it?

Mr. ORTH. About $600,000.

Mr. JOHNSON. Consisting of what, as nearly as you can itemize it?

Mr. ORTH. I can not do that, Congressman, out of my mind; but I repeat that if the committee thinks it is material and necessary, I will be glad to furnish a signed statement. Or it is not necessary to do that; I can get it by getting a statement of the firm as filed with the Federal reserve bank, which is a matter of record, probably, in Washington.

Mr. JOHNSON. Will you give the committee an order for such a paper as that the Federal Reserve Board will permit the committee's accountant to go into that?

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Mr. ORTH. I will be glad to give you a certified copy of it taken from the copy which is preserved in our records in New York.

Mr. JOHNSON. Would you be willing for our accountant to go into your books?

Mr. ORTH. Why, I would very much prefer not to, sir, because I do not see what relevancy it has to the investigation of the National Security League.

Mr. JOHNSON. You will recall that you yourself entered upon this matter, and, at least as I think, I say it is quite important.

Mr. ORTH. That is a matter, Mr. Chairman, about which I think it is absolutely essential for me to consult my partners, and I will do so and wish to say to you that, so far as my voice goes, I will unquestionably answer yes to your request.

Mr. JOHNSON. And when made the committee will know the decision reached by your firm?

Mr. ORTH. Why, yes; just as soon as I return to New York.

Mr. JOHNSON. But upon your return to New York, you will communicate with the committee and advise the committee whether or not you will permit the accountant of this committee to go into your books?

Mr. ORTH. Yes, sir.

Mr. JOHNSON. Would you also include in that your bank account?

Mr. ORTH. Surely; anything.

Mr. JOHNSON. And, further, would each of you be willing to have your income-tax return looked at by our accountant?

Mr. ORTH. Absolutely.

Mr. JOHNSON. And you will embody that in a request of your banker and of the Commissioner of Internal Revenue in a paper that our accountant can present to them?

Mr. ORTH. Yes, sir. I am answering yes, and I certainly wish to have the committee do it, and because there is nothing in my income tax return or my assets or anything else that I desire to hide from the committee; but I feel a little sense of what I might call hardship to have my immediately personal affairs gone into in detail in connection with the investigation of the National Security League.

Mr. JOHNSON. Your personal affairs were first brought into this hearing by you yourself, when a question was asked you—I am not sure, but I am rather inclined to think—by Mr. Caraway. You went further than the answer to his question, and stated your firm had purchased $250,000 worth of liberty bonds. Now, I have sought, to the best of my ability, without getting the information, to ascertain where the $250.000 came from with which you bought the bonds.

Mr. ORTH. Why, Mr. Chairman, first of all, the reference which I made to liberty bonds and to our holdings of them, I believe the amount was specified in answer to a question by Mr. Browne, who asked me if my firm held any railway shares; and I added to my response, to which I said they had, that my firm held these liberty bonds.

Mr. JOHNSON. But it was not in answer to the question put to you by Mr. Browne?

Mr. ORTH. No, sir.

Mr. JOHNSON. And having given that information, and having, of your own accord, put your private affairs into this record, why, I would be *glad to know the* rest of it. I have asked you several times

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and in several ways to get the manner in which you got that $250,000 and have failed. I am therefore making a request that our accountant be given the liberty which I have just asked.

Mr. WALSH. Mr. Chairman, will you permit an interruption?

Mr. JOHNSON. Yes.

Mr. WALSH. I should like to say that as a member of the committee I am not in favor of an inquiry along that line, whether the information was volunteered or not. And if the inquiry along that line is to be pursued, I would hope the chairman would refer the matter to the committee.

Mr. JOHNSON. I very much prefer to have it; and if we are going to get at all the facts, I think the line suggested by me is more certain to do it than the lines selected by you, Mr. Walsh. And I think you will bear me out that I, as chairman of the committee, have done absolutely nothing without first having the approval of the committee.

Mr. WALSH. Yes; I do.

Mr. JOHNSON. And I therefore think your objection premature, since you might reasonably have inferred, from all that has gone before, that the committee would be consulted; and when the committee is consulted, then you will have a vote just like I will.

Mr. WALSH. It may be too late to consult the committee after your inquiry.

Mr. JOHNSON. But you are introducing an objection now to a request to which the witness has signified his willingness to comply.

Mr. WALSH. I want my objection on the record.

Mr. JOHNSON. Your objection is noted.

Now, you will, Mr. Orth, immediately upon your return to New York, let the committee have the writing to which we have just referred?

Mr. ORTH. I will, sir.

Mr. REAVIS. I have nothing further I want to ask the witness. I think Mr. Barnhart wants to testify.

Mr. JOHNSON. For the present, Mr. Orth, the committee does not desire to further interrogate you. But the committee wishes it to be understood that you are not excused. And in that connection, I may suggest that Representative Barnhart, from Indiana, will now take the witness stand, if I am correctly advised, relative to some correspondence between you and him, and it might be well for you to remain in the room and get his testimony.

Mr. ORTH. Might I ask, Mr. Chairman, that just as soon as practicable, within the judgment of the committee, that I be excused on my subpœna for important——

Mr. JOHNSON. The committee is quite anxious to do that very thing.

Mr. REAVIS. I do not think there is any doubt, Mr. Johnson, but what Mr. Orth will be excused sometime during the day; and if we wanted him again we could notify Mr. Orth.

Mr. JOHNSON. The word "excused" might mean finally excused, and thus far I think we have made it clearly understood to the two witnesses who had preceded Mr. Orth that they were subject to further call; and when we do excuse you, Mr. Orth, it will be with the understanding that the committee may probably call you again.

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Mr. ORTH. I will be very glad to come back at any time the committee desires, sir.

TESTIMONY OF HON. HENRY A. BARNHART, REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA.

(The witness was sworn by Mr. Johnson.)

Mr. JOHNSON. Mr. Barnhart, you are a Member of the present Congress?

Mr. BARNHART. Yes, sir.

Mr. JOHNSON. The committee understands that you desire to make a statement, and we will be glad to have you go ahead and make that statement in your own way.

Mr. BARNHART. Gentlemen of the committee, I want to preface that statement by stating to you that I am not a lawyer, not familiar with the procedure of courts, because I have, fortunately, never been in court. I labor under more or less agitation at the present time because I am in the presence of men who have sought to ruin my reputation in the estimation of the district that I have represented for 11 years. They have done that after I tried, to the fullest extent of my ability, to inform them that they were mistaken. They did it, too, after I have notified them that their report that I was absent and not voting, carrying the impression I was dodging voting—that the Congressional Record showed I had been excused by unanimous consent to be at the bedside of my dying wife. They did it at a time when my two boys, all that I have left on earth, were wearing Uncle Sam's uniforms as volunteers, one of them as an officer in the Regular Army and one of them in the Indiana State Guard.

The first notice of the security league I had was called to my attention by a neighbor of opposite political faith from me, but a good friend. He showed it to me and asked me what it meant. I said I scarcely knew. I looked it over, and I said "I don't know," I supposed I had cast those votes as they were recorded, and took some little time to think them over. Later I had a local newspaper correspondent come to me and say to me, as I was to deliver an address at South Bend in August, the newspaper that he represented had been asked to say that they would like to have me explain my votes on the charges of the National Security League. That newspaper is owned by John C. Schafer, a millionaire corporation magnate who lives in Chicago and owns the Chicago Evening Post, the Indianapolis Star, the Louisville Herald, the Muncie Star, and the Terre Haute Star. In my address at South Bend I referred to the matter in a gentlemanly and polite way, explained my votes, why I gave them, explained that this one charge of being absent, when I was with my dying wife, was a very great personal affront to me, and I sent a clipping from the newspaper that carried that space to the National Security League, and never heard anything from it.

Afterwards I had a letter, or this sheet, rather—I do not know what you call it; a questionnaire—from the security league. I answered there again therein, and then I wrote them this letter, which I would like to have go in the record, because of the evidence that has been given here. It corroborates every suspicion I have that it is an organization prepared to defeat men in Congress who

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refused to bow to the will of the corrupt corporation interests of the country. This is dated September 24, 1918. It is addressed to Mr. Charles D. Orth, chairman National Security League, New York City, N. Y.

DEAR SIR: Replying to your letter and your vote censor sheet of the 19th: If this is in absolute fairness, why not give all the facts and not leave the public to infer wrongly? I did vote for the conscription law as signed by the President, after voting to pass the bill unamended and as the Military Affairs Committee had reported it—authorizing the President to accept volunteers as the War Department officials afterwards permitted.

Now, I want to interline there and explain to the committee, to show my absolute good faith, that when the talk of conscription was first mentioned I communicated with 36 newspaper editors in my home district. I asked them several questions, a copy of which I did not retain, but among other things I asked them if they were in favor of drafting boys under 21—if that was the sense of the community; if they were in favor of making the draft effective before the young men of the country were given the opportunity to volunteer, and so forth. I had 26 answers to those inquiries. All of them were opposed to drafting boys under 21 years; 8 of them favored immediate conscription, without any privilege of volunteering; and all of the balance were in favor of giving them the privilege to go and volunteer. So I wrote to the people of my district who were anxious to know and explained to them I was going to vote for the committee bill, which provided for trying the volunteer system, and, if it was not effective at once, the President was authorized to inaugurate the draft. When the bill came before the House I carried out my agreement, made in good faith, with the people of my district, and with which everybody was familiar. I voted against the Kahn amendment, and then, knowing, as did every other Member of Congress, that if we had to have an Army we could not afford to have it go to the enemy that we were not willing to furnish men, voted cheerfully for conscription—voted for the bill as it was signed by the President. And in this connection I want to call the attention of the committee to the fact that at the time the Committee on Military Affairs reported the bill to Congress which was amended by the Kahn amendment—and I think you will all recall it—that a Washington newspaper carried a story that the President of the United States had written to the chairman of that committee commending the committee for having reached a unanimous agreement, and every Member of Congress was left with the impression that the committee bill was satisfactory. Afterwards the Kahn amendment was introduced, and it was reported that the President was favorable to the Kahn amendment. But I had committed myself the other way; I had a definite understanding with the people of my district, and therefore I kept the faith.

Also, I was not out of harmony with our President on items 2, 3, 4, and 5 for the Congressional Record proves that I voted for these measures, just as the President signed them. And after I voted on all of these measures (before we entered the war), the people of our country and of my district re-elected both our President and myself. I was with our President in trying to honorably keep out of war and if you condemn my votes against amending bills so as to Germanize our country with militarism, when we were a neutral, you *also* condemn our President and the great majority in both branches of Congress. And you give no credit for the multiplicity of war measures, passed *since* war was declared, and for every one of which I voted.

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Now that was on the 24th of September.

And now that I take no offense at your presumption to tell me, from your New York viewpoint, what the people of my congressional district elected me to do, I want to ask you, who attempt to set up a self-made patriotic dictatorship, some questions, viz:

1st. Who principally furnishes the money to pay your salaries and expenses, and are any of those who finance your league interested, directly or indirectly, in the manufacture or sale of military equipment, or in promoting militarism for the benefit of a class?

2nd. Are or were any of your officers or directors agents of or attorneys for, or in any way interested in the success of individuals or firms whose personal or financial interests would be benefited by the aggrandizement of war?

3rd. Was your honorary president, Hon. Elihu Root, and your honorary vice president, Hon. Alton B. Parker, of fighting age at the time of the Civil or Spanish-American wars; if so, did they enter the service of their country; if not, why not?

4th. What is your age, what has been your business heretofore, and what has been your training to qualify you as a judge of legislative wisdom and patriotic consistency?

5th. Is your league in favor of war and misery as our permanent national policy, or is it in favor of fighting this war to a successful finish in behalf of permanent world peace and happiness, as our President is and as I am?

Assuring you that not a man in your league is more earnestly interested in the well-being of our country and has given more, in proportion, of his family, of his employees, and his time and money to win this war than I have, and hoping that you will treat my inquiries about your motives with the same respect and frankness that I do yours, I am, sir, very respectfully.

Under date of September 30 I had a letter from Mr. Orth, which consists of some five or six pages. I will submit that and you may put it in the record.

I want to call attention to just a few things in that letter and comment on them.

Regarding your record since war was declared, our chart includes the votes on the Kahn amendment. This was so important that the President expressed his approval of the leadership given it by a member of the Committee on Military Affairs, who was far from being the ranking member of that committee. You voted contrary to the leadership——

That is, contrary to the leadership of Mr. Kahn of California.

* * * which thus afterwards received the stamp of the President's approval. Regarding other votes after war was declared, the temper of the country was so manifestly antagonistic to wrong voting that a Congressman who voted right is not entitled to any great credit.

From the inception of the National Security League up to the present time the money to pay its expenses has been principally furnished by the subscriptions of its scores of thousands of members.

Now, Mr. Orth could have answered the question; "he knew that the rich corporations in the East had furnished that money." He knew that it was being furnished by war profiteers when he wrote that letter to me.

Mr. REAVIS. May I interrupt you a moment, Mr. Barnhart, to suggest that in the congressional activities all but $38 was furnished in New York?

Mr. BARNHART. I did not know that. I have sat here and listened to these evasive answers, but I had to give some time and attention to my duties in Congress and had not heard all of it.

Mr. REAVIS. That is correct is it not, Mr. Chairman.

Mr. JOHNSON. That is the correct amount, $38.

Mr. BARNHART. He says:

(b) Practically all of the officers—

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Practically—

Practically all of the officers and committees of the National Security L... receive no salaries, but devote their time and labor as a patriotic duty.

Mr. REAVIS. The word "substantially" is better than "pr... tically."

Mr. BARNHART. He says—listen to this now:

I have practically no knowledge of the private business affairs of our ... bers, but have no doubt that among the thousands there are some wh... interested, directly or indirectly, in the manufacture or sale of military ... ment in exactly the same manner and to the same extent that a certain n... of people would be found to be so interested in any group of individuals ... could be selected in the United States to-day.

If Mr. Orth did not know that the Steel Corporation and ... Standard Oil Corporation were the principal contributors, and oth... big corporations that are making millions out of manufacturing w... munitions and who were interested in war, he has a weaker suspici... than he has indicated in his answers before this committee, becau... he certainly did know it.

In reply to my fourth question, he says:

I am in my fifty-second year. My business is and has been that of ... importer.

He did not say an importer of what.

As honorary officials of the National Security League, neither Mr. Root ... Mr. Parker participate actively in the work of this committee. Such slight co... tact as I have had with them, and the knowledge I have of their services to their country, their ardent patriotism, and their devotion to all that is best in the public life of the United States, constrain me to say that the endeavor ... discredit them can not fail to bring about a wholesome reaction against th... detractors.

I have no knowledge of the ages or actions of these gentlemen 57 or 1... years ago, and can not see what possible relation your question has to the National Security League or to any of its work.

There was something else I wanted to refer to; but in any event the letter will show that he refers in there to the fact that any reference to any question of the motives of those men is wicked and dishonest.

(The letter above quoted from is in full as follows:)

[Elihu Root, honorary president; Alton B. Parker, honorary vice president; Charles F. Lydecker, president; Henry L. West, executive secretary. Telephone, Murray Hill 9145. Congressional committee, Charles D. Orth, chairman.]

THE NATIONAL SECURITY LEAGUE (INC.),
19 WEST FORTY-FOURTH STREET,
New York, September 30, 1918.

Hon. HENRY A. BARNHART,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of the 24th duly received.

Regarding your votes before our entrance into the war, the overwhelming public sentiment of the people of the United States has unmistakably declared what was right and what was wrong.

In his speech in New York on the 27th the President said: "* * * the thought of the mass of men whom statesmen are supposed to instruct and lead * * *." We submit, therefore, that by your votes you should have instructed and led the people of your district and the people of the United States generally, to whom you owe a constitutional duty.

Regarding your record since war was declared, our chart includes the votes on the Kahn amendment. This was so important that the President expressed his approval of the leadership given it by a member of the Committee on Mili...

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ary Affairs, who was far from being the ranking member of that committee. You voted contrary to the leadership which thus afterwards received the stamp of the President's approval. Regarding other votes after war was declared, the temper of the country was so manifestly antagonistic to wrong voting that a Congressman who voted right is not entitled to any great credit.

We are glad to reply to any questions which have a reasonable connection with the work of the National Security League. Some of your questions go beyond that limit, and we are confident will be regarded by disinterested people as an attempt to create prejudice and hatred by unfounded insinuations and innuendos.

We reply to your questions as follows:

FIRST.

(*a*) From the inception of the National Security League up to the present time the money to pay its expenses has been principally furnished by the subscriptions of its scores of thousands of members.

(*b*) Practically all of the officers and committees of the National Security League receive no salaries but devote their time and labor as a patriotic duty.

(*c*) I have practically no knowledge of the private business affairs of our members, but have no doubt that among the thousands there are some who are interested, directly or indirectly, in the manufacture or sale of military equipment—in exactly the same manner and to the same extent that a certain number of people would be found to be so interested in any group of individuals that could be selected in the United States to-day.

(*d*) No individual connected with the league is interested in promoting militarism for the benefit of a class, and I do not believe that there is now or ever has been any such individual or group of individuals in the United States. The idea in our opinion is a figment of the imagination, and we regard the dissemination of it as wicked and dishonest.

SECOND.

(*a*) Some of our officers or directors may be—but are not to my knowledge—agents or attorneys for individuals or firms which are engaged in supplying materials for the war, which is the occupation to-day of a very large percentage of the entire population of the United States.

(*b*) I do not know what you mean by "the aggrandizement of war," but if you mean profits out of war supplies and materials I refer you to my answer (*a*) and will add that the effect of the war on the great majority of business men is to substantially reduce their income, their financial resources, and their savings.

THIRD.

(*a*) As honorary officials of the National Security League, neither Mr. Root nor Mr. Parker participate actively in the work of this committee. Such slight contact as I have had with them and the knowledge I have of their services to their country, their ardent patriotism, and their devotion to all that is best in the public life of the United States, constrain me to say that the endeavor to discredit them can not fail to bring about a wholesome reaction against their detractors.

(*b*) I have no knowledge of the ages or actions of these gentlemen 57 or 19 years ago, and can not see what possible relation your question has to the National Security League or to any of its work.

FOURTH.

(*a*) I am in my fifty-second year.

(*b*) My business is and has been that of an importer.

(*c*) The work of my committee is directed by the executive committee of the National Security League, a list of whose members is given on the last page of the folder which is inclosed. You will see that it includes many well-known men of affairs free from political affiliations, and whose characters and whose positions as high-minded and disinterested patriots are thoroughly established.

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FIFTH.

(*a*) Neither the National Security League nor anyone connected with it, nor any sane person in the United States, is in favor of war and misery as our permanent national policy.

(*b*) The National Security League is thoroughly on record in favor of fighting the war to absolute and decisive victory. Your question is superfluous, as its answer is known to every American newspaper reader.

Very truly, yours,

CHAS. D. ORTH.
Chairman Congressional Committee.

CDO/AS.

Inclosures: Folder, "The National Security League. Its Past, Present, and Future Work, August, 1918."

On October 19 I wrote Mr. Orth this short letter:

Your letter of September 30 received, and in the language of a distinguished observer, "it quibbles like a designing pettifogger." You criticize me for not voting against bills, before the war, which the President signed, and then you say that I am entitled to no credit for my votes and speeches since the war began in support of the measures our President has signed.

As a matter of fact, yours is a veiled attack on the administration itself, and on those who favored the income tax on rich men and who were not in favor of Germanizing our country with militarism for the benefit of "importers" and your mercenary associates. What do you import and what big interests, profiting by the war, pay your officers and attorneys the salaries and fees they draw? Why don't you answer this instead of ducking? Were any of your leading members slackers in the Civil War or Spanish-American War, and did one of them hire a substitute?

I did not have any answer to that.

You say my inquiry as to your league being interested in militarism for the benefit of a class is wicked and dishonest; not at all, but your false inference that I am disloyal to our administration and to our country, when I have given my all for the prosecution of this war, and that I dodged votes when I was at the bedside of my dying wife are damnable and characteristic of sneaking curs.

I am prepared to back that up.

* * * I hope to soon meet you personally and convince you that I am as honest, loyal, patriotic, and brave as you or any of the Wall Street war profiteering hyenas and character assassins in your organization. The code of gentlemanly ethics does not permit me to speak frankly and fully.

The reply to that was on October 24:

Your letter dated October 19 and postmarked October 22 was received to-day. We have no reply to make to the things which you say that we say, but are always willing to discuss the things which we have actually said, provided it is done in a reasonable and temperate manner by both sides. If you consider that we have "quibbled" and that we have been unjust, your obvious remedy is to submit the correspondence to the people of your district, who are the judge and jury in the case.

Now, that is just as reasonable as to say that you can denounce a good woman in any community as a depraved woman and overtake that report with a correct statement of the matter; because the league had given out this information and the criticism that had come had traveled faster than any correction that could possibly be made. No man in the State of Indiana this year had any opportunity to go to the people; he didn't have the list of names that the Security League use, and there was no means of getting those names that I knew of. And there was no way to reach them. At the same time, *before* this matter had come, I had issued a pamphlet, just a folder, *with* probably 20 extracts from patriotic addresses I had made in

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House of Representatives, with the speech of conscription, favor- it if it was thought best that we have conscription immediately, hough I believed every man in the United States ought to have honor and the privilege of volunteering if he wanted to. And is folder I sent to the National Security League, mailed that to em myself, to show them how I stood on those questions. The ply was:

* * * You endeavor to create the impression that we have charged that u "dodged votes" when you were at the bedside of your dying wife. We ve made no statement to the effect that you "dodged votes."

But they lie when they say that; the chart is marked "N. V.," and ey let it go at that.

* * * We copied into our chart from the Congressional Record that you ere recorded as "not voting" on the motion to recommit the naval appro- riation bill.

It is a perfectly natural and proper thing to explain your absence on that ccasion. We note the cause, which we sincerely regret.

But, gentlemen of the committee, no effort was ever made by this lisreputable bunch to correct that inference that I had dodged an important vote, when the Congressional Record showed, and they could have seen it and did see it, that I was excused by unanimous consent. And I want to say to you now that there is not any means or any language that I could use that would enable me to correct that error; and there was not any possibility of correcting it to the people where I had lived for years and among a class of men like you, with whom I have served and I believe and I hope honorably in all this time.

Following that the Chicago Tribune and those two millionaire-owned Indianapolis papers were attacking my loyalty and even accused me of voting for the McLemore resolution. I had answered the questionnaire fully, and have a copy of it here, and after these reports became so strong, Judge Gallagher, of the La Porte (Ind.) circuit court, a foremost jurist in Indiana—he did not write to me, but he wrote to the clerk of the House of Representatives, a very short letter, and asked him as follows:

OCTOBER 19, 1918.

Hon. SOUTH TRIMBLE,
Clerk of House of Representatives, Washington, D. C.

DEAR SIR: As there are reports in circulation here, purporting to come from some so-called New York Security League, which allege that our Representative in Congress, Hon Henry A. Barnhart, has not voted for before-the-war and since-the-war legislative bills, as signed by our President, will you please write me what the official records show as to Mr. Barnhart's votes on the leading war measures and how these votes compare with the President's approval of them as indicated by his enacting them into law by signing them.

An early reply will greatly oblige many interested citizens here.

Very respectfully,

JAMES F. GALLAGHER,
Judge, La Porte Circuit Court.

The reply to this was under date of October 21, 1918:

Judge JAMES F. GALLAGHER,
La Porte, Ind.

DEAR SIR: In reply to your inquiry of October 18, the permanent record of the House of Representatives shows that Hon. Henry A. Barnhart, of Indiana, voted as follows on the so-called "National Security League test-vote" bills:

On March 7, 1916, he voted against the McLemore resolution, as the President suggested. See page 3720.

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On March 23, 1916, he voted for the Hay Army bill as it was passed by House and signed by the President. See page 4731.
On May 8, 1916, he voted against a citizen-reserve army of 400,000 and ment and for the Hay-Chamberlain bill as passed by the House and Se and signed by the President. See page 7600.
On May 20, 1916, he voted for the Hay-Chamberlain bill as passed by the Senate and House and signed by the President. See page 8406.
On June 2, 1916, he was absent and did not vote on an amendment crease the Navy appropriation bill. Reason: Official leave of absence with his invalid wife. See page 8829.

By the way, he makes the reference there, "reason, official leave absence to be with his invalid wife."

On March 1, 1917, he voted for the armed ship bill as passed by the H and signed by the President. See page 4691.
On April 5, 1917, he voted for the declaration that a state of war exis See page 412.
On April 23, 1917, he voted for the conscription act as it was passed signed by the President. See page 1557.
In addition to Mr. Barnhart's votes as above set forth by the records of House, he is recorded as voting for the following bills as signed by President:
On all four bond issues: Yes.
On the espionage act: Yes.
On the registration act for incoming "twenty-oners": Yes.
On appropriation for Military Establishment: Yes.
On revenue for war expenses: Yes.
On war-risk insurance: Yes.
On food control: Yes.
On increase of Marine Corps: Yes.
On trading-with-enemy injunction: Yes.
On Shipping Board authorization: Yes.
On payment to dependents of soldiers: Yes.
On taking over foreign vessels in United States ports: Yes.
On the last conscription act; yes.
Furthermore, with the exception of his vote for $2.40 wheat, I find no record that Mr. Barnhart voted against the passage of any military, naval, or war emergency bill signed by the President either before or since war was declared

Mr. BROWNE. What was the date of that?

Mr. BARNHART. The date of this was October 21, 1918. He answered that letter on October 28 in a two-page sheet here, in which he garbles somewhat. For instance, he says down here what the Vice President says, and he picks out not a whole sentence, but a piece of a sentence, and he quotes from the Vice President of the United States a sentiment that every man in the United States could approve and every loyal man did approve, and that was that had we known in advance what was going to happen of course we might have taken longer steps toward preparation.

Mr. WALSH. Whose letter was that?

Mr. BARNHART. That was the letter of the Vice President of the United States. Here is what he says:

I come here to make an apology for my attitude during almost two years and a half of that fateful conflict; an apology that a God-fearing man in the twentieth century of civilization could have dreamed that any nation, any man, could be neutral when right was fighting with the wrong.

Mr. REAVIS. That quotation is included in a letter from whom?

Mr. BARNHART. From the Vice President, he says.

Mr. REAVIS. Who says?

Mr. WALSH. What letter is that you are reading?

Mr. BARNHART. This is a letter from Mr. Orth to Judge Gallagher.

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Mr. WALSH. That is what we want.

Mr. BARNHART. If you want it, I will insert this whole letter in the hearing, but I want to call attention to this particular fact, that he even challenges the sincerity of the judge in question. He says, down in the fourth paragraph of the letter:

The National Security League has made no statement to the effect that Mr. Barnhart had "not voted for before-the-war and since-the-war" legislative bills as signed by the President. Mr. Barnhart knows that we did not do so, and it is a reasonable presumption that you are also aware of the fact.

If he was aware of the fact, the judge of the court would hardly have asked the question.

(The letter above referred to is in full, as follows:)

OCTOBER 28, 1918.

Judge JAMES F. GALLAHER,
Laporte, Ind.

DEAR SIR: A letter dated October 19, signed by you as "Judge Laporte Circuit Court," addressed to the Clerk of the House of Representatives, and published as an advertisement in the South Bend Times-News, reads as follows:

"As there are reports in circulation here, purporting to come from some so-called New York Security League, which allege that our Representative in Congress, Hon. Henry A. Barnhart, has not voted for before-the-war and since-the-war legislative bills, as signed by our President, will you please write me what the official records show as to Mr. Barnhart's votes on the leading war measures and how these votes compare with the President's approval of them as indicated by his enacting them into law by signing them?

"An early reply will greatly oblige many interested citizens here."

The National Security League has made no statement to the effect that Mr. Barnhart had "not voted for before-the-war and since-the-war legislative bills, as signed by the President. Mr. Barnhart knows that we did not do so, and it is a reasonable presumption that you are also aware of the fact. Mr. Barnhart can not evade the responsibility of his votes by shifting the discussion to bills which have been "signed by the President." But even accepting the principle presented by Mr. Barnhart's defense, the fact remains that he voted against measures of the highest importance, contrary to the President's anxiety to have them passed.

Your letter to the Clerk of the House of Representatives refers to "reports in circulation" regarding what was alleged by the National Security League. Actual evidence of what we said was easily obtainable in lieu of hearsay. We now submit this evidence in the form of a copy of the chart "Congressional Vote on Preparedness and War," which is the act upon which rests the charge you undertook to review. This chart was copied from the Congressional Record.

You will note that Mr. Barnhart voted in favor of the Cooper amendment to prohibit American ships to carry arms and ammunition in their cargoes. The illegality and unconstitutionality of this proposition you will, as a judge, perceive to be self-evident. You will also note that Mr. Barnhart voted against the Kahn amendment to the conscription act, which amendment, however, was passed and incorporated in the bill, for which Mr. Barnhart now claims credit for voting after he had tried to defeat its essential feature.

Mr. Barnhart's action was taken notwithstanding the President's strong wish to have Members of Congress vote exactly opposite to the way that Mr. Barnhart voted. This was known at the time to every newspaper reader in the country, but testimony exists in the words of the President himself in each case.

In a letter which will be found on page 6138 of the Congressional Record of April 26, 1918, addressed to Mr. Davies, a candidate for the nomination for the Wisconsin senatorship, the President wrote:

"The McLemore resolution, the embargo issue, and the armed-neutrality measure presented the first opportunities to apply the acid test in our country to disclose true loyalty and genuine Americanism."

In his war message to Congress, April 2, 1917, the President said:

"It will involve the immediate addition to the armed forces of the United States already provided for by law in case of war at least 500,000 men, who should, in my opinion, be chosen upon the principle of universal liability to service."

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A vote in favor of the Cooper amendment was a vote to take the essential feature from the armed-neutrality bill. A vote against the Kahn amendment was a vote to take the essential feature from the conscription act. Mr. Barnhart voted against the President in both cases. The fact that after trying to ruin the essential feature of both bills he voted in favor of them should show him exactly the amount of credit he can obtain from the loyal and patriotic citizens of his district.

From the same source he may look for a verdict regarding his votes on other measures which we enumerated in our chart. Here, again, the President can be quoted, although his words were not uttered with reference to these measures. In his speech of September 27 he said:

"* * * the thought of the mass of men, whom statesmen are supposed to instruct and lead * * *."

Will votes against preparedness when the world was on fire be regarded by an intelligent American constituency as instructing and leading the mass of men? The noble and manly attitude of the Vice President of the United States may suggest a better defense, or, rather, apology, for the men who voted against preparedness measures. Mr. Marshall said, in a recent address:

"I come here to make an apology for my attitude during almost two years and a half of that fateful conflict; an apology that a God-fearing man in the twentieth century of civilization could have dreamed that any nation, any man could be neutral when right was fighting with the wrong."

We ask that this letter be given the same publicity as your letter to the Clerk of the House of Representatives.

Very truly, yours,

NATIONAL SECURITY LEAGUE.
CHAS. D. ORTH,
Chairman Congressional Committee.

I do not know that I have anything more to say, gentlemen. I do not have some other things in my mind, but Mr. Orth's testimony before this committee has obviated the necessity of anything further. I certainly forecasted exactly what this Security League is; where it got its money; and it has fairly been proven to your own good judgments here that Mr. Orth, in answering questions, is just as evasive before this committee as he was in answering my letters.

Mr. REAVIS. Mr. Barnhart, what do you think of the fairness of a proposition that consists of charges being sent through a congressional district and not to the one against whom the charge is made, and then, months afterwards, when objections are made that an injustice had been done, what do you think of the fairness of the proposition of the one coming back who made the charge and stating, "Why, we will give you the right to explain?" Wouldn't it be fairer to have ascertained accurately and correctly the record in the first instance?

Mr. BARNHART. Why, most assuredly. And had they written or had they wanted to have been fair, when I sent them the copy of my speech I delivered, they could very easily have exonerated me, if they wanted to be fair. But they did not want to be fair. And the same thing is true of the circulation of my answers to this. It was sent out just a few days before election, after the damage had been done.

Mr. REAVIS. How did you vote on the revenue bill to increase the income tax?

Mr. BARNHART. I voted for it.

Mr. REAVIS. I wonder whether or not you know that the 47 men who are declared by this league to be loyal and patriotic are not only the men who voted for these prewar measures that would have required an expenditure of the Government of a vast amount of

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money that would have gone to a certain section of the country necessarily?

Mr. BARNHART. Yes.

Mr. REAVIS. And that likewise 40 per cent of those men voted against the increase of the income tax that would have taken the money out of the same section? Do you know that?

Mr. BARNHART. Yes. I not only knew it, but I have charged it in speeches, and I have charged, furthermore, that while New York and those big interests there interested in manufacturing implements of death in war were all speculating in war bonds, etc., had been preaching the doctrine of preparedness, etc., and they had a tremendous appeal, yet when the war broke out, New York, in the per cent of its volunteers, was below most of the States in the Union.

Mr. REAVIS. If the income tax had been defeated it would have saved a great deal of money to the Carnegie Corporation, that is incorporated for $125,000,000, wouldn't it?

Mr. BARNHART. Oh, undoubtedly. It would have done more than that, Mr. Reavis.

Mr. REAVIS. I want to ask you just one more question. Do you realize or do you know that one-fourth of the contributions made to this league were made by the Carnegie Corporation?

Mr. BARNHART. In glancing over the report there I saw that Carnegie gave $100,000 and subscribed $50,000 more.

Mr. REAVIS. The total subscriptions, according to the report, approximately are $600,000.

Mr. BARNHART. Of the Carnegie Corporation?

Mr. REAVIS. No; the total subscriptions to the league; so approximately one-fourth of the money contributed to this league was contributed by the Carnegie Corporation. Do you know that their next largest contributor was John D. Rockefeller?

Mr. BARNHART. I know that by glancing over the record. I put that down on the back of this envelop as the second largest contributor, $35,000.

Mr. REAVIS. And Morgan & Co. were contributors?

Mr. BARNHART. J. P. Morgan & Co.; yes.

Mr. REAVIS. That Henry Frick, formerly of Pittsburgh, was a contributor?

Mr. BARNHART. Yes.

Mr. REAVIS. I wonder if you can deduct anything from the following facts: That the 47 men declared loyal by this league are the men who voted for measures of preparedness that would have created large expenditures on the part of the Government with the steel companies, in which are interested Morgan, Rockefeller, Frick, and Carnegie, and that 40 per cent of those 47 men voted against an increase of the income tax that would have taken money out of the pockets of Rockefeller, Morgan, Frick, and Carnegie, and that an organization is formed to support those 47 men, financed by those men who would financially profit? Can you deduct anything from this series of facts, as to the good faith of this organization?

Mr. BARNHART. Oh, anybody can deduct conclusions, as the country will deduct them when they read this investigation. Of course, they were interested. The big interests organized this league; there is no doubt of it in my mind whatever; and they supported these tools *and got two men of prominence* and splendid patriotic reputation in

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the United States to act as honorary president and vice president, just as blue-sky oil companies and mining companies go about over the country trying to induce prominent men to take the presidency of their organizations.

Mr. REAVIS. I do not think I want to ask Mr. Barnhart anything else.

Mr. WALSH. Did you see any evidence of activity on the part of the Security League in your district other than the distribution of the chart and the correspondence which you had with Mr. Orth?

Mr. BARNHART. I did.

Mr. WALSH. What other evidence?

Mr. BARNHART. Well, for instance, the Chicago Tribune pointed me out specially. The Indianapolis Star and the Indianapolis News, all owned by millionaires, by big interests, made a special fight on me. And all of them insinuated that the Security League had informed them I had voted against the McLemore resolution.

Mr. WALSH. Voted against the McLemore resolution or voted in favor of it?

Mr. BARNHART. Voted in favor of it, I mean; that I had voted for the McLemore resolution. And I wrote to those editors and told them that they were misrepresenting me and asked them to correct it. Not a line appeared in either one of the papers in justice or fairness to me, citing the page of the record where my vote was recorded, as I had called to the attention of Mr. Orth and his league the page on which my vote was recorded.

Mr. WALSH. As a result of your correspondence with the league and the filing of your questionnaire, did you see any newspaper statements or any literature which called attention or assumed to call attention to your record or assumed to correct the inference conveyed in the chart which the league had previously circulated?

Mr. BARNHART. Nothing from the league whatever.

Mr. WALSH. Did you see anything in the newspapers which was to the effect that this information was being circulated by the National Security League, correcting any erroneous impression previously conveyed by the chart?

Mr. BARNHART. None. Not a line.

Mr. WALSH. And did you receive any communications from any other officers or the Security League?

Mr. BARNHART. None except from Mr. Orth, except it was in their printed matter. I would not say as to that.

Mr. WALSH. Did you receive some printed matter from the league?

Mr. BARNHART. Just the questionnaire and this report.

Mr. WALSH. Now, do you know whether the National Security League has a State branch in Indiana?

Mr. BARNHART. I never heard of it.

Mr. WALSH. Did you ever have a talk with a Mr. Cashman?

Mr. BARNHART. Never. Never heard of him.

Mr. WALSH. Mr. Barnhardt, did you ever hear of or see accounts of statements made by your opponent or anybody supporting your opponent, based upon information contained in the Security League or out of any of its literature?

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Mr. BARNHART. Oh, yes; his personal organ used it every day, and the La Porte Herald, most maliciously and most unfairly, and quoted the National Security League continually.

Mr. WALSH. And that was after you had communicated with Mr. Orth, with reference to your record and the chart?

Mr. BARNHART. Yes, sir. In addition to that, Mr. Walsh, I secured two copies of the La Porte Herald and clipped their editorials from it and mailed them to Mr. Orth.

Mr. WALSH. Editorials which were based upon information furnished by the Security League?

Mr. BARNHART. Quoting the Security League or mentioning the Security League, you know, playing it up all the time as being a national organization that was condemning me.

Mr. WALSH. The last communication, apparently, was the 28th of October; it was some little time after you sent your questionnaire. I would like, Mr. Barnhart, if you will, please, to have you read the answers you made to the Security League's questionnaire into the record. Had you just as soon read those questions and answers, please?

Mr. BARNHART. Yes; I will, gladly.

Name: Henry A. Barnhart. Residence address: Rochester. Business address: House of Representatives, Washington. Present occupation: Member of Congress. Occupations for the past fifteen years: Member of Congress for 10 years and newspaper editor and trustee State institutions previously. What public offices previously held: None.

I think I was elected county surveyor, once. I probably did not answer that quite right.

Mr. REAVIS. You will be able to live that down.

Mr. BARNHART. It was back when I was a boy.

What has been the candidate's position since July, 1914, on preparedness? With the Wilson administration. In what way is the candidate directly on record as expressing these views: Congressional Record. Is the candidate's present position the same as given in answer to A? Yes. What was the candidate's viewpoint about the United States entering the war prior to the declaration of war, April 5, 1917? Same as President Wilson's.

I was very much with the President in being very careful we were right before we went ahead, and then, when we did have to go ahead, to go hard.

Mr. WALSH. In other words, you approved the statements of President Wilson in the addresses he made to the joint sessions of the Senate and House of Representatives, and when occasion arose you expressed your approval by your votes?

Mr. BARNHART. Yes, sir.

What record exists embodying these views? Votes in Congress. Have the candidate's views since changed regarding the participation of the United States in the war? Yes, as conditions changed.

That was my answer.

Will the candidate pledge himself to be an advocate of peace with victory, by which is meant a vigorous prosecution of the war until Germany, Austria, and Turkey concede the claims of the allies? Yes; emphatically. By what achievements in politics, business, or professional life has the candidate demonstrated his ability to cope with the problems of the Nation? Editor and teacher of history. What other views or policies regarding the war and reconstruction does the candidate advocate? Fighting until an honorable and permanent peace is established with liberty for all mankind.

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Mr. WALSH. Now, Mr. Barnhart, do you know about what time that questionnaire was sent in to the league?

Mr. BARNHART. Yes; I do. I think I can establish that by this letter here. It was between the 19th and 24th of September. I see they sent me a letter and this sheet on the 19th and I answered it on the 24th.

Mr. WALSH. Did you ever see any publications in any newspapers which contained, with reference to your record and attitude, the information you gave in response to the questionnaire?

Mr. BARNHART. None. And even this that they gave out—they sent this to me and I think I replied to it on Saturday before the election on Tuesday—they sent this out and I had a copy of it which I did not see until after election day, because I did not happen to be at home and did not receive my mail.

Mr. SAUNDERS. What is it you refer to there as "this"?

Mr. BARNHART. Its report of the questionnaire. My answers to it that they sent out just before election.

Mr. WALSH. They sent out your answers to the questionnaire just before election?

Mr. BARNHART. Yes, sir.

Mr. WALSH. After the 28th of October?

Mr. BARNHART. I am not so sure about the dates. I did not keep any dates as to just when it was, but I know it was just a few days before election.

Mr. WALSH. Did they send out anything further than your answers to the questionnaire?

Mr. BARNHART. Well, I can not say for sure. My son is the editor and publisher of the newspaper that I own and sometimes he would hand me Security League stuff. But I do not know I got this at all. It might have come through to me, but I do not know that I had this sheet—this report.

Mr. WALSH. Would he know if he furnished you the information?

Mr. BARNHART. I doubt if he would have the date, because when he received it he probably turned it over to me or took it over to my house (I live across the street from him) and put it in the mail box.

Mr. WALSH. Mr. Barnhart, can you state whether or not in any of the literature sent out by the league or any of the statements published in any of the various newspapers to which you have referred, purporting to be information furnished by the National Security League, those statements contained any charges affecting your loyalty as a Representative in Congress?

Mr. BARNHART. I do not know that anything that the league sent out did; but I know that the newspapers that were championing the league and that were publishing what was generally considered to be reports of the league were all accusing me of disloyalty.

Mr. WALSH. Did you see at any time any article or news item or any other statement published in any newspaper which purported to give information which had been furnished by the National Security League which, in the same article or statement or publication, made any charge or insinuation as to your loyalty as a Representative in Congress?

Mr. BARNHART. That is, quoting the league?

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Mr. WALSH. Quoting or referring to the information they furnished or mentioning the league or its information in any way?

Mr. BARNHART. Well, in every one of those inferences of disloyalty, that the opposition press carried, the name of the National Security League would be mentioned.

Mr. WALSH. But you did not seen any statement or news item which contained information furnished by the National Security League and a charge of disloyalty on your part?

Mr. BARNHART. But, then, the disloyalty insinuation was worse than a charge. That was put out in a chart after they had the full information of what my position was.

Mr. WALSH. Now, Mr. Barnhart, I want to ask you just a question or two with reference to the revenue bill which has been inquired about by Mr. Reavis. Do you recall the first revenue bill which came before the House and which later went over to the Senate and then came back to the House from conference?

Mr. BARNHART. You mean the particular itemization of it?

Mr. WALSH. No. But do you recall there were some 60-odd votes against the first revenue bill as it passed the House?

Mr. BARNHART. No; I do not, Mr. Walsh.

Mr. WALSH. Do you recall whether or not when it came back from the Senate it contained higher rates or taxes on incomes than when it left the House?

Mr. BARNHART. That is my recollection of it; yes, sir.

Mr. WALSH. Do you recall whether or not there were any votes against the revenue bill as it came from the conference containing those higher rates?

Mr. BARNHART. I do not.

Mr. WALSH. I think that is all.

Mr. BROWNE. Do you remember the Lenroot amendment to the revenue bill, Mr. Barnhart, that was carried by the House?

Mr. BARNHART. If you would give me just a word of outline of what it was, no doubt I could recall it.

Mr. REAVIS. It was not a bill, it was an amendment.

Mr. BROWNE. The Lenroot amendment, increasing each rate?

Mr. BARNHART. Yes; I think I do. There were so many, it is pretty difficult, as you all know, to remember all the amendments offered.

Mr. BROWNE. There was quite a number of votes against that, wasn't there?

Mr. BARNHART. Now, I do not remember.

Mr. BROWNE. Do you remember how you voted on that?

Mr. BARNHART. No; I do not. I voted with the committee most likely. It is a rule in this legislation, as you know, generally that the committee takes those measures and thrashes them out and formulates them and get together and make a report, and in nearly all of those bills the committees were unanimous in their reports.

Mr. REAVIS. And had extended hearings?

Mr. BARNHART. Yes; had extended hearings to get opinions; and with 435 Members in the House of Representatives and with something like 35,000 bills introduced each time and then with amendments galore, it would hardly do for any Congressman to say he does not necessarily have to follow the judgment of the committee of 21 that goes over those matters. In many respects, of course,

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we vote for amendments. I vote for amendments many times; so do other Members of the House. We do it as our best judgment; we do it sometimes in compliance with the faith we have pledged to our constituents back home, just as I did on the Kahn amendment. I had taken the precaution to get the newspapers to ascertain the sentiment of the district. I did not ask a Democratic newspaper or a Republican newspaper; I asked 36 leading papers of the district, 35, I think, and 26 of them answered.

Mr. REAVIS. In your service in Congress since the declaration of war, do you know of any man in that body who was inspired by anything else than the most patriotic desires to contribute to his country?

Mr. BARNHART. If he was, he did not indicate it in my presence.

Mr. REAVIS. Or have you ever had any question in their votes that their loyalty should be under suspicion?

Mr. BARNHART. Not in the least.

Mr. REAVIS. Do you know of any good reason why the rights to the election of the Sixty-fifth Congress should be based on the votes of the Sixty-fourth Congress, rather than the Sixty-fifth?

Mr. BARNHART. There could not be any.

Mr. REAVIS. You notice that most of these acid tests as to why a war Congress should be elected or defeated were acid tests that were voted on almost exclusively in a peace Congress, the Sixty-fourth Congress?

Mr. BARNHART. My only suspicion of it would be that it was done for the purpose of getting after the fellows who had voted for revenue bills that were unsatisfactory to Wall Street.

Mr. REAVIS. Let us go a little bit further: If you wanted to elect a Congress for a special purpose and could find a Congress that had a record on that special purpose, wouldn't you consult that record?

Mr. BARNHART. Most assuredly. Any fair-minded man would.

Mr. REAVIS. The National Security League said it wanted to elect a win-the-war Congress. Wouldn't it have been the wise thing to have consulted the war record of the Sixty-fifth Congress in determining which of its Members had shown a disposition to contribute to their country the opportunities of winning the war?

Mr. BARNHART. That would have been the fair manner to proceed.

Mr. REAVIS. But suppose the National Security League instead of seeking to elect a Congress to win the war had some sinister purpose that they wanted to hide; suppose, for instance, it wanted to elect a body of men with that slant of mind who would be willing to vote great expenditures on the part of the Government for military preparations; it might have gone back to the Sixtyfourth Congress and consulted that record?

Mr. BARNHART. Or the Sixty-third.

Mr. REAVIS. Yes. But to win the war and for the purpose of electing a Congress to win the war, they did not take the record of the Sixty-fifth Congress, which was the war Congress, but they took the record of the Sixty-fourth Congress, which was not a war Congress, and determined the right of the Members of the Sixty-fifth Congress to reelection upon the record of the Sixty-fourth Congress? Is not that true?

Mr. BARNHART. Yes, sir. I want to say in that connection, also, that in this pamphlet to which I referred, carrying extracts from

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my speeches, and which I sent to the Security League, I had a letter from the chairman of the State Council of Defense who saw those extracts, probably from 15 different speeches of five-minute talks on the floor, who complimented me by saying that such utterances ought to be read by every man and woman in the State of Indiana. And yet while he was saying that, this Security League was fighting me as a disloyalist.

Mr. REAVIS. Now, Mr. Barnhart, in your judgment, the majority of the Members of the House are more concerned in their record as being that of the record of a loyal man, who has done his utmost to contribute to his country in a time of its trouble, than they are concerned in the questions of their political career or the possibility of their reelection, are they not?

Mr. BARNHART. Certainly all are who have sons in the service or who are liable to go in the service.

Mr. REAVIS. Without regard to whether they have sons in the service or not, has it not been your experience that most of the Members of Congress are jealous of their records?

Mr. BARNHART. Most assuredly.

Mr. REAVIS. And they want it to go down in future years as reflecting the position of a loyal man with a love of country?

Mr. BARNHART. Any man with red blood in his veins or patriotic blood wanted to do so; and that is why I so vigorously resented the attacks from these hyenas.

Mr. REAVIS. It is rather a serious responsibility for any man to destroy the reputation of another man for loyalty and love of country, is it not?

Mr. BARNHART. More than that—by merely coming out and breathing it.

Mr. REAVIS. He is attacking one of the most precious possessions a man has, isn't he?

Mr. BARNHART. Virtually all I have left in this world myself. It is the real honor of any man.

Mr. REAVIS. And it is a matter that ought not to be considered and handled lightly?

Mr. BARNHART. I would not like to say, Mr. Reavis, what I think ought to be done under such circumstances.

Mr. REAVIS. What I mean is that in my dealing with your record as a loyal man, it is a matter I ought not to consider and handle lightly?

Mr. BARNHART. Most assuredly, if you are a man, you would so conduct yourself. If you were the tool of some mercenary interests, you might take a different view of it.

Mr. REAVIS. Disloyalty is a rather disagreeable word, isn't it?

Mr. BARNHART. It is the meanest word, I think, in the English language at the present time.

Mr. REAVIS. You stated to Mr. Walsh you saw nothing in the National Security League's literature reflecting on your loyalty. Did you see the literature this league got out explanatory of this main chart in which they say it was inspired by a desire to elect loyal men to Congress? Did you see that?

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Mr. BARNHART. I either saw it as they got it out or I saw some clippings that seemed to be reprints of what they were sending to the press, but I do not recall that it contained that exact language.

Mr. REAVIS. Well, a desire to elect a Congress 100 per cent American or 100 per cent loyal was the term used, wasn't it?

Mr. BARNHART. I think that was in the chart.

Mr. REAVIS. Now, suppose they sent out a chart with your name on it, with your record or what they claimed to be your record, to which they have attached "Mr. Barnhart voted wrong," and then they follow that with the bulletin "that our idea in getting out the chart and our motive was to elect to Congress the men who are 100 per cent loyal?"

Mr. BARNHART. They meant to infer that I was disloyal, of course.

Mr. REAVIS. Could any other inference or deduction be drawn from such language?

Mr. BARNHART. No, sir.

Mr. REAVIS. Now, suppose after they had done that the gentleman who is responsible for the chart comes before a committee and under oath states, notwithstanding the Nation was at war and these votes were on measures pertaining to the Nation's war, what I meant was not that he was disloyal to his country but that he was out of harmony with the dominant sentiment of the United States; does that strike you as a very satisfactory explanation as to what they mean when they say "100 per cent loyal"?

Mr. BARNHART. Out in Indiana we would probably call that dodging the issue like a gypsy horse trader.

Mr. CARAWAY. A man, however, who entertains the idea that a woman may not be virtuous but substantially virtuous might have entertained that view?

Mr. BARNHART. I do not know whether I am an authority to answer that question or not.

Mr. WALSH. Mr. Barnhart, might I ask if there were any other issues in your campaign for reelection?

Mr. BARNHART. None. That was not much in issue. I ran ahead of my State ticket in all of the counties of my district except the county of my competitor's home. Had I had the opportunity—we were forbidden to hold any meetings—to have gone before the people, and had I had the evidence that these men have given now as to where their money came from, there would not have been anything to the election in my district.

Mr. WALSH. Is there any particular portion of your district made up of the so-called German-American voters?

Mr. BARNHART. Yes. One county very largely. There are three counties that are heavily populated with pro-Germans or Germans, and most of them were pro-Germans, because they so indicated.

Mr. WALSH. A considerable portion of them being voters?

Mr. BARNHART. Yes; I think in one county. Our State election decided—let me change that. Our State constitution provides that the holders of first papers—that is a declaration of intention to become a citizen of the United States—entitles a man to the right of franchise, and I think even of holding office. The State election commission made a decision that the holders of such papers would not be entitled to vote, because they were classed as alien enemies. I think the decision was arbitrary, but have no right to question it, and did

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not at the time; but I merely mention it to call attention to the fact that in one county alone of somewhat limited population there were 1,700 of those voters that could not vote.

Mr. WALSH. How far is your district from Chicago?

Mr. BARNHART. About 45 miles—the nearest point.

Mr. WALSH. The Chicago papers circulate generally?

Mr. BARNHART. Very generally.

Mr. WALSH. In your district?

Mr. BARNHART. Yes, sir.

Mr. WALSH. Where were these other papers published that you mentioned?

Mr. BARNHART. In Indianapolis; but they do not circulate extensively in more than one county in my district; but in one county of my district they are circulated pretty generally there. Most of my district is 140 to 150 miles from Indianapolis and so much nearer Chicago that the Chicago papers come in there.

Mr. WALSH. How many counties are there in your district?

Mr. BARNHART. Seven.

Mr. JOHNSON. No member of the committee wishes to ask any further questions.

Mr. ORTH. May I prefer a request to the committee that Mr. Barnhart be requested to state what proof, if any, he has of any connection or correspondence between the National Security League and the newspapers which I believe he termed the millionaire newspapers of Chicago and Indianapolis, or whether what he has stated is merely assumption on his part.

Mr. JOHNSON. I suppose there is no objection to that.

Mr. REAVIS. I would be glad to have Mr. Orth ask Mr. Barnhart anything he wanted.

Mr. JOHNSON. There will be no objection, Mr. Orth, to your asking questions directly of Mr. Barnhart.

Mr. BARNHART. They have used the same information you have given at the hearing, except they added to it that I had favored the McLemore resolution, which I stopped by a formal notification.

Mr. ORTH. Is it your belief there was any direct connection between the National Security League and the Chicago Tribune regarding your candidacy, or any communication between the two regarding your candidacy or regarding you?

Mr. BARNHART. I think after I wrote you this letter and answered you, I think they had that information, because no other candidate in Indiana with the equal record of mine was so attacked by the Chicago Tribune.

Mr. ORTH. May I state to the committee there was not to my knowledge any communication from the National Security League to the Chicago Tribune regarding Mr. Barnhart or his candidacy at any time, other than what may have been contained in the general circulation of the chart to the 1,400 newspapers on the league's special list.

Mr. JOHNSON. When you say the National Security League, do you refer only to the New York branch or to the Chicago or any other branch?

Mr. ORTH. I can only refer to the New York branch, because that is the only one about which I have positive knowledge. I would add

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in my answer to your question the fact that the National Security League's office in New York had no communication at any time with the Chicago branch of the National Security League regarding Mr. Barnhart.

Mr. BARNHART. Let me say in explanation of that I do happen to think of something. I was advised by telephone by some of my friends at Laporte, Ind., that a man had been there in consultation with my competitor and had been about there with him who was a stranger, and that the opposition was chuckling about the way the Chicago Tribune would attack me and circulate a large number of papers; and three or four days later the editorial attack appeared. They said—well, I won't say that, because it was only their opinion, and I will not give it.

Mr. REAVIS. Their opinion might lead to something. Tell us what it was.

Mr. BARNHART. My informant said he believed it was a representative of the National Security League there to try to defeat me because of my votes on the revenue bill.

Mr. REAVIS. Could you get the name for us of the stranger who was in there?

Mr. BARNHART. I do not know. It might be they would know if I would communicate with Laporte.

Mr. REAVIS. Will you do that?

Mr. BARNHART. Yes; I will do that. I will write there this afternoon and ask if they can get the name of the man who was assisting the local Hickey committee. He was a stranger, they said, and my informant did not know where he came from.

Mr. CARAWAY. Mr. Barnhart's district was one of the 47 or 48 that you concentrated your attack in?

Mr. ORTH. Yes, sir. May I further ask Mr. Barnhart. Mr. Chairman, if he is aware that a printed copy of his questionnaire, containing every word of his questionnaire that he had put in it, had been sent by the National Security League a very few days—well, on or about October 30 or 31?

Mr. BARNHART. I have already stated that. I have given that in full, that it was just on the eve of election.

Mr. ORTH. Mr. Barnhart had stated he had not seen the questionnaire printed in any newspaper, and it is in particular reference to that I desire to ask that question.

Mr. BARNHART. No; I did not see the questionnaire printed in any newspaper. My recollection is I did not see the questionnaire printed itself until after the election.

Mr. ORTH. I desire to ask Mr. Barnhart if he is aware that copies of his questionnaire, furnished by the National Security League, containing every word therein, was mailed by the National Security League to 60 newspapers in the thirteenth Indiana district, which 60 newspapers comprised a list of every newspaper in that district, without regard to politics, or otherwise, which was printed in Ayers Newspaper Directory?

Mr. BARNHART. Do I have any knowledge of it?

Mr. ORTH. I asked if you were aware of it?

Mr. BARNHART. No; I was not aware of it, and even if I was, as a newspaper man I would say about that that a story circulated like *that*, a few days before election, is seldom ever used, and is neither

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a benefit nor a detriment to a man. We call it a last effort in Indiana, which is always hooted at.

Mr. ORTH. May I also ask Mr. Barnhart, Mr. Chairman, if, in his opinion, a charge of disloyalty is implied when a man makes a statement to the effect that another man or an organization is the outgrowth of an organization originated to spread Geryman propaganda in America?

Mr. BARNHART. I do not get that.

Mr. ORTH. Whether, in your opinion, it is a charge of disloyalty to state that any organization is the outgrowth or an original attempt for the purpose of spreading German propaganda in America?

Mr. BARNHART. Would I consider it a charge of disloyalty?

Mr. ORTH. Of disloyalty.

Mr. BARNHART. Well, not necessarily so.

Mr. ORTH. Would such a charge even imply disloyalty?

Mr. BARNHART. Well, it might have been originally started for some purpose and changed, so far as that is concerned. But if it were organized for that purpose, to promulgate German propaganda, it would have been disloyal after we entered the war if it so continued.

Mr. ORTH. May I ask Mr. Barnhart if he ever made such a charge with regard to the National Security League?

Mr. BARNHART. I never did. I know what you are getting ready to refer to—a newspaper statement—and I wrote you accordingly about it, saying I had said to that newspaper that the names of the National Security League, a good many of them, were German, and then the newspaper reporter enlarged upon that, as they sometimes unintentionally do.

Mr. ORTH. I desire to place into the record the following telegram, dated New York, October 31, 1918, addressed to Hon. Henry A. Barnhart, Rochester, Ind.:

An article published in the South Bend News-Times quotes you as saying that it is an established and undisputed fact that the present National Security League is the outgrowth of an organization formed before this country entered the world war for the express purpose of spreading German propaganda in the United States. Please wire at our expense if you did or did not make this statement as quoted.

(Signed) NATIONAL SECURITY LEAGUE.

Also the following telegram, dated Rochester, Ind., received in New York on November 2, addressed to the National Security League, New York:

Did not use the language you attribute to me, and doubt that the News-Times did. Will write what I did say of a report of German names on your membership list, and of the dishonest political fight your partisan henchmen are making against me as a loyal supporter of our administration's successful conduct of the war.

(Signed) HENRY A. BARNHART.

Also a letter dated November 2, signed Henry A. Barnhart, addressed to the National Security League, New York:

GENTLEMEN: Corroborating my telegram of to-day, I did not use the language attributed to me in your telegram. While in South Bend, one day last week, a News-Times man talked with me about political conditions, but, as I remember it, he made no written memorandum of what we said, and what he wrote was evidently from memory, and I did not see his copy.

To begin with, I said to him that any man or organization that attacks my patriotism is doing so for financial or political reasons antagonistic to our

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administration. I called his attention to a news-copy sheet issued by our Sen committee citing German names in your organization, and said that the infe ence could easily be drawn from this, that your organization has German m taristic influence in it, and furthermore, that your man, Orth, had written t that he supposed that some of your leading members are financially interest in war, and that he knew nothing of business connections of the "big-interes attorneys touted as the honorary heads of your organization. I also said to h that your misrepresentation of my loyalty to our country, and your alli with the political enemies of our President, in this district, looks suspicious, an the public will draw its own conclusions.

Furthermore, I said when you infer by insinuation that I am disloyal, o that I have not voted for legislation signed by our President, you lie, and tha when you attempt to mislead the public into the belief that I dodged vote when I was away by unanimous consent of the Members of the House to b with my dying wife, you become more dastardly in my estimation than t most contemptible German.

What the News-Times man wrote was his own recollection of what I sa and I hope he not only quoted me right, as newspaper men sometimes unintentionally fail to do, but that he conveyed fully my opinion of an organizat that is opposing and misrepresenting my stand with our administration to e this war in victory for world peace and justice between man and man, and no for militarism and profiteering, as at least some of your members seem t prefer.

Also a telegram from the National Security League, dated New York, October 31, to the South Bend Times-News, South Bend, Ind., and reading as follows:

You recently published an interview with Congressman Barnhart which contained various false and libelous allegations. The assertion that the league is the outgrowth of an organization originally formed for spreading German propaganda is untrue and libelous and designed to seriously damage the reputation of the organization. Moreover, it is so contrary to the patriotic work of the league that it is grotesque. The statement that an investigation of the league is now being made by Congress is untrue. The facts are that a Republican Congressman from Wisconsin whose record resembles Mr. Barnhart's, and who was incensed by the league's presentation of it in his district introduced a resolution in Congress for the investigation of the league, regarding which no action was taken by Congress, and no answer was made by the Speaker of the House to a letter from the president of the league, which welcomed a full investigation and offered to furnish any information desired. The statement about profiteering and war-munition manufacturing members is merely general abuse, to which Mr. Barnhart resorts, without a shred of evidence or proof of any tangible or specific charge. Your own statement to the effect that the league is devoting its time to discredit Democratic Members of Congress is untrue. The National Security League is presenting, in a nonpartisan way and by uniform methods, the records of every Member of Congress, whether Democrat, Republican, or Socialist, whose votes against preparedness and war measures, to use an expression of the President's, presented opportunities to apply the acid test in our country to disclose true loyalty and genuine Americanism. We shall expect you to publish this telegram in full as prominently as you published the interview with Mr. Barnhart,

THE NATIONAL SECURITY LEAGUE.

Mr. CARAWAY. Who signed that telegram?

Mr. ORTH. That telegram was signed "The National Security League."

Mr. CARAWAY. Who wrote it?

Mr. ORTH. I wrote it.

Mr. CARAWAY. Why did you not show authorship?

Mr. ORTH. Also a letter dated New York, November 2——

Mr. CARAWAY. Do you stand by this telegram now as stating the truth?

Mr. ORTH. I do, sir.

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Mr. CARAWAY. In the face of all this evidence that has been offered here?

Mr. ORTH. I do, sir. The next is a letter reading as follows:

NOVEMBER 2, 1918.

PUBLISHER SOUTH BEND NEWS-TIMES,
South Bend, Ind.

DEAR SIR: We have in our possession an article published in your issue of October 30, in which you quote Congressman Henry A. Barnhart as follows:

"It is an established and undisputed fact that the present National Security League is the outgrowth of an organization formed before the country entered the world war for the express purpose of spreading German propaganda in the United States."

Mr. Barnhart telegraphs us as follows:

"I did not use the language you attribute to me, and doubt that the News-Times did."

The statement in question is libelous.

Mr. Barnhart's disclaimer seems to throw the responsibility upon you, inasmuch as your newspaper undoubtedly did contain the language in question.

We request you to inform us whether you accept responsibility, or whether your article indicates the statement was made by Mr. Barnhart.

Very truly, yours,

NATIONAL SECURITY LEAGUE.
———, ———,
Chairman Congressional Committee.

Also a letter dated South Bend, Ind., November 8, 1918, addressed "National Security League, New York City, N. Y.," and reading as follows:

GENTLEMEN: Answering yours of the 2d instant, will say that if Congressman Barnhart telegraphed what you say he did, he told an untruth.

I did not see the interview before it was published, but Mr. Carl J. Cooper, who wrote it, insists that the statement was correctly quoted in substance, though not, perhaps, in exact words. Congressman Barnhart had previously made the same statement to me—to the same effect—in a personal conversation, and his own former secretary tells me that the same statement was made to him.

In the light of the Rooseveltian backdown—denying his own statements when pushed to the wall—which ought to commend him to you people from the way you seem to love T. R.—it is needless for me to say that, from the newspaper standpoint at least—our personal standpoint—the Congressman's defeat rather makes us smile. I suppose, however, we should have anticipated it, for it is not uncommon for a newspaper that takes a politician's word for anything to catch him later trying to throw the brunt of everything on the newspaper. We don't agree with you on what you denominated "right" and "wrong" voting on Congressman Barnhart's part, but you can convey to him our answer that he is a liar with reference to the matter in question, if he sent you any such telegram. We doubt if he will ever come around and give us the chance to tell him to his face, after the letter that Mr. Cooper has written him to-day.

Indeed, it is not our process to make interviews and run them at random, even under stress of a campaign. Everybody makes mistakes now and then, and their judgment may be poor at other times; but in this case we only misjudged, apparently, the reliability of the interviewed.

Yours, truly,

JOHN HENRY ZUVER, *Editor.*

Mr. HARRISON. Is that an American name?

Mr. ORTH. I do not know, sir. I have no knowledge of the gentleman.

Mr. HARRISON. That sounds like a German name.

Mr. BARNHART. That all comes to what I said, that I told this reporter that there were many German names; that the sheet issued by the Democratic State committee said there were many German names in this organization, and that it might be suggestive of something.

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Mr. WALSH. Did you make any reply to that letter, Mr. Orth, from the publisher?

Mr. ORTH. I did sir, and I want to read that also in the record.

NOVEMBER 12, 1918.

Mr. JOHN HENRY ZUVER,
Editor the South Bend News-Times, South Bend, Ind.

DEAR SIR: Your letter of the 8th instant received. We do not know if the first paragraph of your letter was meant to imply any doubt of our statement of what Mr. Barnhart telegraphed, so we give you a verbatim copy of this telegram, dated Rochester, Ind., November 2.

If you can see your way clear to give us a copy of the letter which Mr. Curry wrote to Mr. Barnhart, we would be glad to receive it.

Very truly, yours,

THE NATIONAL SECURITY LEAGUE,
_____,
Chairman Congressional Committee.

Inclosure: Copy of Barnhart's telegram of November 2.

I desire to ask Mr. Barnhart if he still thinks that that did not contain a charge of disloyalty against the National Security League?

Mr. BARNHART. My statement did not. I do not know anything about the other statement. My statement was that the sheet that I had seen said that the copy sheet had said that the National Security League had many German names in the list.

Mr. ORTH. Will Mr. Barnhart be kind enough to name some of those German names?

Mr. BARNHART. I can not. I do not know that the article mentioned them. I just told him that this copy sheet said that there were German names in the list of membership.

Mr. ORTH. So you were willing, Mr. Barnhart, to charge the National Security League, in substance, with being an outgrowth of an organization originally started for the purpose of spreading German propaganda, on something you read in a news sheet?

Mr. BARNHART. I never said anything of the kind. I said there were German names on there and backed it up with the balance of my statement, that the burden of that statement was that it was an organization for the purpose of backing men who voted to the pecuniary interests of Wall Street. That was the statement.

Mr. HARRISON. May I ask Mr. Orth a question. Is the Menkan a German name, whether it has anything to do with it or not?

Mr. ORTH. I have not heard, sir.

Mr. HARRISON. Is Mr. Menkan, the ex-president of the National Security League—is that his right name?

Mr. ORTH. I presume it is, sir; I do not know.

Mr. HARRISON. You have never heard anything to the contrary?

Mr. ORTH. I have never heard the slightest, sir, to the contrary.

Mr. REAVIS. I would like to ask Mr. Barnhart a question. The terms "loyal" and "disloyal" have been used by Mr. Orth so indiscriminately that I am becoming somewhat confused. Can you be disloyal to any person or anything to whom you owe no allegiance?

Mr. BARNHART. I would not think so.

Mr. REAVIS. He asked you if you were disloyal to the National Security League. Do you owe any allegiance to that organization?

Mr. BARNHART. None whatever.

Mr. REAVIS. How could you be disloyal to it, whether you criticized it, or told a falsehood about it, or no matter what you did?

Mr. BARNHART. I could not be.

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Mr. ORTH. I wish to state to the committee that this was not my intention to create that impression, which was a wrong one. I intended to ask if Mr. Barnhart charged any loyalty or disloyalty on the part of the league in that question. I referred, of course, to the loyalty or disloyalty and the allegiance of every citizen and every organization in the United States to the United States as involved by the question of whether they were an organization for the spread of German propaganda in this country.

Mr. REAVIS. You asked him if he was not guilty of disloyalty in making a suggestion that your organization was so engaged. To whom would he be disloyal for trying to protect his country?

Mr. ORTH. I did not intend to ask that, sir, and I hope my language did not lead to that construction. I meant to ask whether Mr. Barnhart meant that the National Security League was disloyal to this country. That is the charge which he made.

Mr. REAVIS. You may have asked that and I misunderstood it.

Mr. ORTH. That was what I tried to convey.

Mr. REAVIS. You may have done that, Mr. Orth, and it may have been my fault in misunderstanding you.

Mr. HARRISON. Mr. Orth, I would like to ask you a question. How long have you known Mr. Menken?

Mr. ORTH. Since the middle or end of May, 1918.

The CHAIRMAN. Have you anything further to say, Mr. Barnhart?

Mr. BARNHART. No; not any more.

(Whereupon, at 4 o'clock p. m., the committee adjourned until tomorrow, Tuesday, January 21, 1918, at 10 o'clock a. m.)

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NATIONAL SECURITY LEAGUE

HEARINGS

BEFORE A

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

THIRD SESSION

ON

H. Res. 469 and H. Res. 476

TO INVESTIGATE AND MAKE REPORT AS TO THE OFFICERS, MEMBERSHIP, FINANCIAL SUPPORT, EXPENDITURES, GENERAL CHARACTER, ACTIVITIES, AND PURPOSES OF THE NATIONAL SECURITY LEAGUE, A CORPORATION OF NEW YORK, AND OF ANY ASSOCIATED ORGANIZATIONS

JANUARY 21, 1919

PART 13

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

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SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

HOUSE OF REPRESENTATIVES.

BEN JOHNSON, Kentucky, *Chairman*.

C. F. REAVIS, Nebraska.
JOSEPH WALSH, Massachusetts.
E. E. BROWNE, Wisconsin.

PAT HARRISON, Mississippi.
E. W. SAUNDERS, Virginia.
T. H. CARAWAY, Arkansas.

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NATIONAL SECURITY LEAGUE.

SPECIAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
Tuesday, January 21, 1919.

The committee met at 10 o'clock a. m., Hon. Ben Johnson (chairman) presiding.

Mr. JOHNSON. Mr. West, will you take the stand, sir?

STATEMENT OF MR. HENRY L. WEST, SECRETARY OF THE NATIONAL SECURITY LEAGUE, 3540 WASHINGTON AVENUE, NEW YORK CITY.

The witness was sworn by Mr. Johnson.

Mr. BROWNE. Where do you reside, Mr. West?

Mr. WEST. In New York City.

Mr. BROWNE. At what address?

Mr. WEST. At 3540 Washington Avenue.

Mr. BROWNE. How long have you lived there?

Mr. WEST. Three years last October.

Mr. BROWNE. What has been your occupation since you have lived in New York?

Mr. WEST. Executive secretary of the National Security League.

Mr. BROWNE. Where did you live prior to going to New York?

Mr. WEST. In Washington.

Mr. BROWNE. What was your business here?

Mr. WEST. I was originally here, a newspaper man. Then I served as District Commissioner; then I bought an interest in a paper which proved unfortunate, and I went to New York.

Mr. BROWNE. You were a newspaper man here just prior to going to New York, were you?

Mr. WEST. No; I went out of the newspaper business in—anyway for two years, for practically two years before I went to New York I was not in the newspaper business.

Mr. BROWNE. What business were you in?

Mr. WEST. I represented a number of men in the city of Washington in an effort to prevent the repeal of the half-and-half provision in the organic act, the so-called organic act of the District of Columbia.

Mr. BROWNE. What men did you represent?

Mr. WEST. Five or six years ago——

Mr. BROWNE (interposing). I asked you what men you represented.

Mr. WEST. I am about to answer that question, sir; an effort was made to repeal what is know as the half-and-half provision of the

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organic act. The effort was opposed in the Washington newspapers, especially——

Mr. CARAWAY (interposing). Pardon me just a minute—that doesn't answer the question.

Mr. BROWNE. I would like to have an answer to my question direct.

Mr. WEST. I haven't a list of men whom I represented. There were about 67 or 70 of them, and I have not the list.

Mr. BROWNE. Well, do you know who the leading men were?

Mr. WEST. Yes, sir.

Mr. BROWNE. Who were they?

Mr. WEST. That is what I was going to tell you.

Mr. BROWNE. Give me the names of the men who were interested in that half-and-half fight.

Mr. WEST. This original proposition came to me to do this work from Mr. William H. Moses, the head of the firm of William B. Moses & Son, furniture dealers, on F Street.

Mr. BROWNE. What was your salary to be?

Mr. WEST. $100 a week, and was paid for out of a fund which these 60 or 70 men contributed, at the rate of not more than $25 every three months.

Mr. BROWNE. You acted as lobbyist for these men in trying to retain the half-and-half plan?

Mr. WEST. I worked with Congressmen as hard as I could to point out that the District—the city of Washington as the National Capital—was entitled to consideration from the National Government.

Mr. BROWNE. Well, without going into that long line of explanation——

Mr. WEST (interposing). And if there had been a delegate from the District of Columbia on the floor of the House, the work which I was doing would not have been necessary.

Mr. BROWNE. In common parlance, they call the work that you did lobbying, don't they?

Mr. WEST. I have no objection to calling it that.

Mr. BROWNE. That is the general term, isn't it?

Mr. WEST. Except this, that not one penny of the amount raised or expended was ever expended for any purpose except the paying of my salary; that no letter was written into any Congressman's district; nobody was dined or wined; no money was spent in any improper way, but my salary was paid for the purpose of communicating the facts relating to the District of Columbia to the Congressmen.

Mr. BROWNE. Did you have any amount for expenses besides simply your salary?

Mr. WEST. I had not, sir.

Mr. BROWNE. They just paid you the amount of your salary?

Mr. WEST. Absolutely.

Mr. BROWNE. And you had nothing more than that?

Mr. WEST. Not a penny.

Mr. BROWNE. When did your work as lobbyist for these men—*trying to* retain the half-and-half system for the District of Columbia—*cease*?

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Mr. WEST. It ceased with—I think Congress ended on the 4th of March.

Mr. BROWNE. What year?

Mr. WEST. I think 1915. I am not certain about that.

Mr. BROWNE. Well, how long after that did you go to New York to take this position that you hold now?

Mr. WEST. I went to New York in the latter part of June, 1915.

Mr. BROWNE. Whom did you first talk with in regard to going to New York and working for the National Security League?

Mr. WEST. I went to New York because I had——

Mr. BROWNE (interposing). I asked you whom you first talked with about it.

Mr. WEST. I am going to tell you that.

Mr. BROWNE. Can't you just give the name?

Mr. WEST. Because I went to New York not by talking to anybody but through a letter.

Mr. BROWNE. Who was that letter from?

Mr. WEST. I had written to a number of people, including Mr. Louis A. Coolidge, a friend of mine in Boston, a fellow member of the Gridiron Club, an old newspaper man, former Assistant Secretary of the Treasury, asking if he knew—and I had written to half a dozen other people—of a position which I could fill, and he wrote me that he had heard—that is, he wrote after a lapse of two or three weeks—that he had heard that there was a position vacant for executive secretary of the National Security League in New York. And then I went to New York, and then the first person I saw at the office of the league was Mr. Menken, whom I had never seen before, and I hadn't even heard of the organization at that time.

Mr. BROWNE. Did you see anyone else besides Mr. Menken?

Mr. WEST. I have no recollection at that first visit of seeing anybody except Mr. Menken.

Mr. BROWNE. How long after you met Mr. Menken were you employed as executive secretary?

Mr. WEST. I think about a week.

Mr. BROWNE. During that time did you meet other members of the executive committee?

Mr. WEST. I desire——

Mr. BROWNE (interposing). Whom did you meet?

Mr. WEST. I met particularly a gentlemen named Mr. Spencer, J. Beaumont Spencer. He was an engineer who has been gone into the Army. I met Mr. Dix, William F. Dix, I think are the initials.

Mr. BROWNE. Is he on the executive committee?

Mr. WEST. At that time; sir.

Mr. BROWNE. Who else?

Mr. WEST. He is secretary of the New York Mutual Life Insurance Co.

Mr. BROWNE. Who else did you meet?

Mr. WEST. I think Mr. Frank Seymour Hastings, an attorney in New York, also a member of the executive committee.

Mr. BROWNE. And did these men meet in executive session there, or did they have a meeting with the executive committee and employ you?

Mr. WEST. Yes, sir: that meeting was held on the 30th of June, 1915, *the meeting at which I* was elected to the position I now hold.

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Mr. BROWNE. Did you have any credentials that you showed to these men?

Mr. WEST. I did not at that time, and they wanted them, and so I sent back to Washington and got quite a number of letters.

Mr. BROWNE. Did you have any letters before you were elected executive secretary, any credentials there?

Mr. WEST. I did, sir.

Mr. BROWNE. Did you file those with the executive committee?

Mr. WEST. I did, sir.

Mr. BROWNE. And they are part of their records now, are they?

Mr. WEST. Absolutely; so far as I know.

Mr. BROWNE. What salary did they fix for your services?

Mr. WEST. $100 a week.

Mr. BROWNE. Now, after your employment by the National Security League, did you remain constantly in New York, or did you take trips around the country?

Mr. WEST. I took occasional trips, but nearly all the time I was in New York.

Mr. BROWNE. Did you get your expenses paid while you were on these trips?

Mr. WEST. I did, sir.

Mr. BROWNE. Did you while you were in New York?

Mr. WEST. No, sir; I had no expenses—I mean no bill against the league except my salary.

Mr. BROWNE. Did you know Joseph T. Cashman?

Mr. WEST. Yes, sir.

Mr. BROWNE. He was one of your field men, wasn't he?

Mr. WEST. He was the only field secretary.

Mr. BROWNE. Who was Edward A. Green, Passaic, N. J.?

Mr. WEST. At the time, as I recollect it, that Mr. Cashman was——

Mr. BROWNE (interposing). I asked you whether you knew Mr. Green.

Mr. WEST. Yes, sir; I knew him.

Mr. BROWNE. Wasn't he one of your field secretaries?

Mr. WEST. He served for about two months as field secretary, but was there only a short time.

Mr. BROWNE. Where is he now?

Mr. WEST. He is still living in Passaic, N. J., as far as I know.

Mr. BROWNE. What is his business?

Mr. WEST. Motor-car agent salesman or—I don't think he has any manufacturing interest.

Mr. BROWNE. Who is Joseph T. Cashman—what is his business?

Mr. WEST. Lawyer.

Mr. BROWNE. Where does he practice law?

Mr. WEST. In New York City.

Mr. BROWNE. Is he a man of any prominence there?

Mr. WEST. No, sir; I should say not.

Mr. BROWNE. How old a man is he?

Mr. WEST. Forty or forty-two.

Mr. BROWNE. Did you get into communication with him yesterday? Were you able to?

Mr. WEST. I found out his address last night for Mr. Johnson. I didn't get into communication with him personally.

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Mr. BROWNE. Wasn't Joseph T. Cashman the field man for the Middle West, and Green for the eastern States?

Mr. WEST. No, sir; Mr. Cashman went everywhere that the league sent him. Mr. Green did some work in the State of New York. I don't think Mr. Green ever went outside of the State of New York, as I remember.

Mr. BROWNE. Did you employ Cashman?

Mr. WEST. No, sir.

Mr. BROWNE. Who suggested Cashman?

Mr. WEST. Mr. Menken.

Mr. BROWNE. What were the duties of this field secretary?

Mr. WEST. He was to visit various places, get together groups of men, and organize branches of the league.

Mr. BROWNE. Well, didn't Dr. McElroy do any of that kind of work?

Mr. WEST. Not in the slightest.

Mr. BROWNE. Was there anyone else engaged in organizing these different branches, except Cashman?

Mr. WEST. No, sir; we haven't had a field secretary for over two years.

Mr. BROWNE. When did Cashman begin his work? When was he employed?

Mr. WEST. I think about a year ago. That is my recollection. Of course, the books would show just when he began work.

Mr. BROWNE. And he became more active as the congressional campaign grew nearer, didn't he?

Mr. WEST. No, sir.

Mr. BROWNE. Did he grow less active then?

Mr. WEST. He did the same work then that he had been doing from the start.

Mr. BROWNE. Now, what was Cashman's pay?

Mr. WEST. $75 a week.

Mr. BROWNE. And his expenses?

Mr. WEST. Yes, sir.

Mr. BROWNE. Have you got any book that shows just what Cashman's expenses were?

Mr. WEST. Yes, sir; every penny of it is in the books.

Mr. BROWNE. What book would that be in?

Mr. WEST. In the ledger which shows the expenditures of the league.

Mr. BROWNE. And it would be under Cashman's name, wouldn't it?

Mr. WEST. It would be charged against him; yes, sir.

Mr. BROWNE. You read the correspondence in regard to the McCulloch campaign?

Mr. WEST. Yes, sir

Mr. BROWNE. Didn't you say Cashman was taking quite an active part in politics in that correspondence?

Mr. WEST. When Mr.——

Mr. BROWNE (interposing). I just asked you. You can answer that yes or no very easily, whether you think he did or did not.

Mr. WEST. He told me he did not.

Mr. BROWNE. Well, I am asking you not from what he told you, but *from that letter.*

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Mr. WEST. I don't believe he did.

Mr. BROWNE. Well, you think he took some part in that political campaign that Mr. McCulloch was engaged in there, don't you?

Mr. WEST. I know what he told me, which was that he found that the league was being attacked, and he defended it.

Mr. BROWNE. Well, you saw that letter, and saw his advice and everything. It was introduced and read.

Mr. WEST. I read it; yes, sir.

Mr. BROWNE. You had never seen it before, had you?

Mr. WEST. Oh, yes; it was addressed to me.

Mr. BROWNE. You remember it, then?

Mr. WEST. Perfectly. And in that letter Mr. Breitenstein said——

Mr. BROWNE (interposing). We know what was in that letter. Do you know Mr. O'Neill here, a member of the executive committee?

Mr. WEST. Mr. O'Neill?

Mr. BROWNE. Yes.

Mr. WEST. I do not—oh, I beg pardon; Charles P. Neill, not O'Neill; yes, sir; I have known Mr. Neill for quite a long while.

Mr. BROWNE. What is Mr. Neill's business here?

Mr. WEST. I don't know, sir, at the present time. He is here in Washington, but I don't know what he does now.

Mr. BROWNE. He has an office here, doesn't he?

Mr. WEST. I think so.

Mr. BROWNE. Was he a member of the executive committee before you were employed?

Mr. WEST. No, sir.

Mr. BROWNE. He came after you? He became employed after you?

Mr. WEST. Yes, sir.

Mr. BROWNE. Has he attended any of your meetings up there?

Mr. WEST. He has never been to a meeting, to my knowledge.

Mr. BROWNE. Has he taken any active part in the organization?

Mr. WEST. Not to my knowledge; no, sir.

Mr. BROWNE. You have known him for a number of years, have you?

Mr. WEST. I have not met Mr. Neill for a number of years. I used to know him when he was Commissioner of Labor in Washington and I was a newspaper man. I haven't seen him or spoken to him for a long time.

Mr. BROWNE. Did you ever know that he was the man that was supposed to represent the toiling masses of this country, the laboring people, of the Security League?

Mr. WEST. When his name was mentioned——

Mr. BROWNE (interposing). I asked you whether you ever knew that.

Mr. WEST. He was supposed to, I believe, by having held the position of Commissioner of Labor. When his name was mentioned that fact was brought out. I have never heard any discussion of his name.

Mr. BROWNE. Did he apply for membership?

Mr. WEST. No, sir; not to my knowledge.

Mr. BROWNE. Who was your man that was to represent the agriculturists of the country on the executive committee?

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Mr. WEST. Herbert Myrick.
Mr. BROWNE. Do you know Herbert Merrick?
Mr. WEST. I have met him two or three times.
Mr. BROWNE. Have you ever been down to his place?
Mr. WEST. No, sir.
Mr. BROWNE. Does he live in New Jersey?
Mr. WEST. No, sir.
Mr. BROWNE. Where does he live?
Mr. WEST. He lives in Springfield, Mass.
Mr. BROWNE. And a very wealthy man, isn't he?
Mr. WEST. He is the head of the Orange-Judd Publishing Co. I imagine that he is well to do. I don't know. He publishes a large number of agricultural papers.
Mr. BROWNE. In other words, he kind of farms the farmers, does he? He is one of these professional farmers that farms the farmers?
Mr. WEST. He is the editor of agricultural publications.
Mr. BROWNE. Has he ever been up there to your meetings?
Mr. WEST. He has been at, I should say, three or four meetings.
Mr. BROWNE. Has he ever taken an active interest in the work?
Mr. WEST. He has written quite a number of letters.
Mr. BROWNE. I notice in your little pamphlet that is called "National Security League, its past, present, and future," you have a statement:

Agriculture and labor. The league realizes the importance of agriculture and labor, and these two great national factors are recognized in the personnel of the executive committee. The influence of the church has also been enlisted. The league's number of patriotic sermons now being delivered in hundreds of churches is being increased.

Who got that out?
Mr. WEST. A good deal of that, sir, was written by me.
Mr. BROWNE. And you think that that is a correct statement in regard to those two great branches there, those two great factors, agriculture and labor, being recognized in the personnel of the executive committee? You think you correctly state that when you have Charles P. Neill, of Washington, as the representative of labor, and H. A. Merrick as the representative of the agricultural interests?
Mr. WEST. No; Mr. Myrick has nothing to do with the agricultural business.
Mr. BROWNE. Well, Mr.—what is his name?
Mr. WEST. Myrick.
Mr. BROWNE. Myrick, yes; that is it.
Mr. WEST. Herbert Myrick; yes.
Mr. BROWNE. Yet you say that Charles T. Neill has never been active or done any particular work in the league?
Mr. WEST. He has never been active. He has written some letters. Mr. Neill's activity was very largely a matter of communication with Dr. McElroy. I think he was put on the executive committee at the suggestion of Dr. McElroy.
Mr. BROWNE. But he never got up there to attend any of your executive committee meetings?
Mr. WEST. I don't remember of ever seeing him at a single executive committee meeting.
Mr. BROWNE. Now what has the National Security League done for the laboring people of this country?

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Mr. WEST. I hardly know how to answer that question.

We have not done anything for any particular class of people. Of course the great work of the Security League in the first place was in getting preparedness. That was the original idea in the league, but since the war began it has had a campaign of patriotic education in progress, and it's work all last summer was very largely with school-teachers and summer schools and institutes.

Mr. BROWNE. Well, now, that has been gone over pretty thoroughly before, but I would like to know, if you can tell us, what the league has done for the laboring people, as a class, in this country.

Mr. WEST. We have done nothing for the laboring people as a class, nor for any other class as a class.

Mr. BROWNE. Have you done anything for the agricultural people of this country?

Mr. WEST. No, sir; not as a class. I recall that at one of our annual meetings some man asked us to do what we could in regard to the fertilizer problem, and we did quite a little in that regard, by communicating with the Department of Agriculture and other departments. I remember that was one thing we were asked to do something and did not.

Mr. BROWNE. What kind of fertilizer did you deal with?

Mr. WEST. It was a question of supply and price.

Mr. BROWNE. Now, your league was principally active in weeding out disloyalty wherever you found it, wasn't it?

Mr. WEST. Yes, sir.

Mr. BROWNE. And you paid considerable attention to the colleges of the United States, didn't you—weeding out disloyal college professors?

Mr. WEST. Yes, sir.

Mr. BROWNE. And you were active in that, weren't you?

Mr. WEST. Personally? Only to the extent of carrying out the wishes of the resolutions of the executive committee.

Mr. BROWNE. Now, who were those that were instrumental and had that work of weeding out the disloyal college professors?

Mr. WEST. I can not recall who instigated or suggested the resolution which was adopted, as I remember, by the executive committee, asking the colleges to carefully go through and examine the attitude of members of their faculties. I know that we did send out a letter to all the colleges, containing a copy of this resolution.

Mr. BROWNE. Who was active in the work of your organization in pointing out the professors in the colleges that were disloyal and helping to weed them out?

Mr. WEST. That was Dr. McElroy.

Mr. BROWNE. Did you have anything to do with that?

Mr. WEST. Nothing, sir, except, as I say, to print the circulars and mail them.

Mr. BROWNE. Now did your organization ever call any college professors before them?

Mr. WEST. For what purpose?

Mr. BROWNE. To give them a chance to defend themselves when they were charged with disloyalty?

Mr. WEST. No, sir; we never made any charges of disloyalty against *any* particular man that I remember.

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Mr. BROWNE. What do you mean in your bulletin where you make the statement "weeding out college professors" at the different colleges, and that you had been successful in accomplishing it?

Mr. WEST. Because quite a large number of the letters which came back from the heads of colleges said that they had already taken action along the lines suggested in the resolution; or if they had not, they would, and they reported that there had been quite a number of changes in the faculty, or in their faculties.

Mr. BROWNE. Well, didn't you think that the trustees and regents of the different colleges could—and the presidents of the different universities—could look over their faculties and weed out all disloyal professors themselves without any instructions from Dr. McElroy or the National Security League?

Mr. WEST. I had no opinion in the matter. When the executive committee acted I simply did what I was told to do.

Mr. BROWNE. Well, wouldn't you think that they would be competent to do that without any prodding or any suggestions from the National Security League of New York?

Mr. WEST. A number of them had already done so.

Mr. BROWNE. You think you hastened and accelerated that movement, do you, to weed out these college professors?

Mr. WEST. The replies to the correspondence showed that to be the case.

Mr. BROWNE. You heard President Lydecker say that he didn't know that they were doing that at all, didn't you?

Mr. WEST. I don't remember hearing him say that.

Mr. BROWNE. Well, he did. He made that statement, that he knew nothing about it. Dr. McElroy visited the different colleges in this work?

Mr. WEST. He did not, sir, to my knowledge.

Mr. BROWNE. Did you know anything, Mr. West, about the League of National Unity, Madison Avenue, New York?

Mr. WEST. No, sir; not personally. I have seen some of its literature, but nothing else.

Mr. BROWNE. Some of the employees of the National Security League started some patriotic society in New York, didn't they?

Mr. WEST. Yes, sir.

Mr. BROWNE. What society was that?

Mr. WEST. The American Defense Society.

Mr. BROWNE. Did that have anything to do with your organization? Was it affiliated in any way with your National Security League?

Mr. WEST. Sometimes, in some work that they were doing, we would join with them, and then there is what is known as a National Committee of Patriotic Societies, and I think both that society and ours are members.

Mr. BROWNE. Did they solicit funds, too?

Mr. WEST. Yes, sir.

Mr. BROWNE. Did you solicit any subscriptions for money yourself?

Mr. WEST. Never, sir, in my life.

Mr. BROWNE. Mr. Orth had charge of that, did he?

Mr. WEST. Yes, sir.

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Mr. BROWNE. You helped get out this chart that has been exhibited here, didn't you?

Mr. WEST. Except to this extent: When Mr. Orth came to me, or when he was appointed rather, chairman of the congressional committee, he asked me where he could get the votes of men on preparedness measures. I told him that the league two years ago had prepared a pamphlet showing the votes for and against certain measures which at that time the executive committee of the league thought were of paramount importance. I got that pamphlet for him out of the files and gave it to him. I didn't see the chart again until it was presented to me in proof. I think Mr. Orth told me that he was going to put in the McLemore resolution, the Cooper amendment, the declaration of war, and the conscription act. I did not see the chart again until I saw it in proof, and then I insisted to Mr. Orth—and that was the one thing that I insisted upon; that was a matter in which I was vitally concerned—that the records of the votes should be accurate, and that he must check it up and recheck it, so as to see that, so far as the transcript from the Congressional Record was concerned, it should be accurate.

Mr. BROWNE. You state in this little booklet, "National Security League—past, present and future," that you stated that you got out that the books had been audited by a firm of accountants. The man that actually did the work was a member of the National Security League, wasn't he? The employee that worked for Marwick, Mitchell, Peat & Co., was a member of the National Security League, wasn't he?

Mr. WEST. To the best of my knowledge and belief, no auditor who audited the books of the National Security League was a member of the league at the time he made his audit. Two of them, after going through the books and making a thorough examination, did voluntarily become members of the league, but that was after they had finished their work.

Mr. BROWNE. Didn't one auditing firm contribute quite a large amount to the National Security League?

Mr. WEST. Not to my knowledge.

Mr. BROWNE. $2,000?

Mr. WEST. Not to my knowledge, sir.

Mr. BROWNE. You are quite sure of that, are you?

Mr. WEST. That an auditing firm which audited the books of the league contributed to the league?

Mr. BROWNE. Yes.

Mr. WEST. I have no knowledge of it, sir.

Mr. BROWNE. Did you know of any auditing firm contributing to the league $2,000?

Mr. WEST. No, sir; I do not remember it. The only auditing firm of which I have had any knowledge, was Marwick, Mitchell, Peat & Co., because the other audits were made before I became a member of the official staff of the league.

Mr. BROWNE. Now, you state in this pamphlet that I have referred to, which you say you are the author of, that—

the measure of the league's success in the broad work above outlined depends upon its having sufficient money to plan its work in advance and carry it forward on a budget system. The budget prepared indicates the approximate cost of the work will be $1,250,000 per annum.

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You remember putting that down, don't you?

Mr. WEST. I did not put that in; that last paragraph was written by Mr. Menken, in his own handwriting.

Mr. BROWNE. And that was put out—this pamphlet was dated September, 1918. You thought that was so, didn't you, when you put it out?

Mr. WEST. That that amount of money could be spent? Certainly.

Mr. BROWNE. That the budget that you had already made out, indicated that it was going to cost you about that much?

Mr. WEST. The budget which was made out did indicate the sum of $1,250,000.

Mr. BROWNE. Now, who made out that budget?

Mr. WEST. I made it out very largely as to the detail. Mr. Menken asked me how much money it would take to conduct a nation-wide educational campaign, and I put in all the figures relating to printing and postage, and matters of that kind, and Dr. McElroy supplied the figures from the purely educational side. It was an estimate, pure and simple.

Mr. BROWNE. So the figures that made that up were largely given by Dr. McElroy, were they?

Mr. WEST. I can get a copy of the budget, and I think I can tell you exactly what he put in. He put in the figures relating to the number of colleges and institutions and educational matters, while I figured on the moving pictures, publicity, printing, postage, and those matters.

Mr. BROWNE. Did the league ever do any work through moving pictures?

Mr. WEST. Never, sir; well, I was going to say, we never paid anything for moving pictures, but at the time that a picture called The Battle Cry of Peace was being exhibited, Commodore Blackton, of the Vitagraph Co., did insert the name of the National Security League in the reel, but we never paid them any money for it, and we have never paid a penny for moving pictures.

Mr. BROWNE. Are you acquainted with Willett M. Spooner, of Milwaukee?

Mr. WEST. Yes, sir; I know him quite well.

Mr. BROWNE. How long have you known him?

Mr. WEST. I should imagine I met him probably a year after I came with the National Security League.

Mr. BROWNE. Do you know Mr. Voegel, cashier of the First National Bank, of Milwaukee?

Mr. WEST. August R. Voegel?

Mr. BROWNE. I think that is the name; yes, sir.

Mr. WEST. I have met Mr. Voegel.

Mr. BROWNE. Have they attended any meetings of the league?

Mr. WEST. Mr. Spooner attends the meetings of the executive committee when he is in New York, which is quite frequent—comparatively frequent, and whenever he comes to New York, he comes into the office of the league.

Mr. BROWNE. Now, did Mr. Spooner and Mr. Voegel have charge of the campaign in Wisconsin, of the National Security League?

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Mr. WEST. If there was any campaign in Wisconsin I am utterly ignorant of it.

Mr. BROWNE. Well, did they direct the activities of the National Security League in Wisconsin?

Mr. WEST. Mr. Spooner, as the secretary of the branch at Milwaukee, has always been active in league work there. How much Mr. Voegel does, I don't know.

Mr. BROWNE. Who is president of the branch in Milwaukee?

Mr. WEST. Mr. Voegel may be. I am not certain, sir. My dealings have been entirely with Mr. Spooner, as secretary.

Mr. BROWNE. Do you know whether you sent Mr. Spooner a large number of your charts with Congressmen's names on it?

Mr. WEST. I am not certain whether I did or not. I would have to look up my records and find out.

Mr. BROWNE. Did Mr. Spooner speak for the National Security League around through Wisconsin?

Mr. WEST. Not under our direct auspices. I don't remember that he ever did. Unquestionably he spoke at the Security League meetings.

Mr. BROWNE. Did he receive anything for expenses or otherwise from the National Security League for any of his activities for the league?

Mr. WEST. Mr. Spooner has never been paid a penny, to my knowledge, out of the funds of the National Security League.

Mr. BROWNE. You knew Mr. Spooner's father, John C. Spooner?

Mr. WEST. Very well.

Mr. BROWNE. He is an attorney in New York City, isn't he?

Mr. WEST. I think he is still living. I haven't seen Senator Spooner for many years.

Mr. BROWNE. Don't he represent the large corporations, a good many of them, in New York City, as attorney?

Mr. WEST. I don't know that of my own personal knowledge.

Mr. BROWNE. Don't you know that by general reputation?

Mr. WEST. I know that Senator Spooner told me that when he left the Senate that he was going to New York to make money; but what he represents I do not know, Mr. Browne. I suppose he represented corporations.

Mr. BROWNE. Well, don't he represent the Morgan interests? Hasn't he represented them in large litigations?

Mr. WEST. I have never heard his name connected with the Morgan firm.

Mr. BROWNE. This Charles T. Neill, that you claimed represented the laboring people of this country in the National Security League; now, as a matter of fact, you know that he is the manager of a bureau for the Southern Railway, right here in Washington, don't you?

Mr. WEST. No, sir; I didn't know the position that he held.

Mr. BROWNE. You did not?

Mr. WEST. No, sir; if I did, I had forgotten it. I haven't met Mr. Neill for a great many years.

Mr. BROWNE. To refresh your memory on the subscriptions, do you remember the C. P. Accountant Association in New York City?

Mr. WEST. The C. P. Accountant Association?

Mr. BROWNE. Yes.

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Mr. WEST. I do not, sir.

Mr. BROWNE. On July 24, 1918, according to the books, they contributed $2,000. Do you remember that?

Mr. WEST. No, sir.

Mr. BROWNE. They contributed $2,000 to the National Security League.

Mr. WEST. I don't remember that. The C. P. Accountant Association?

Mr. BROWNE. Yes. Don't you know what that stands for?

Mr. WEST. I do not, sir.

Mr. BROWNE. You kept track pretty well of what the National Security League Bulletin sent out, didn't you?

Mr. WEST. I did, sir.

Mr. BROWNE. You saw repeated statements in that of the success that the league was having in weeding out disloyal Congressmen, didn't you?

Mr. WEST. No, sir; I don't have any statement that said anything about weeding out disloyal Congressmen.

Mr. BROWNE. Being successful in the campaigns to defeat Congressmen that were not marked "perfect" by your chart?

Mr. WEST. I have no knowledge of any such statement as that.

Mr. BROWNE. You don't remember that?

Mr. WEST. I know we were successful, and we were very proud of it, in securing the defeat, as we thought of certain antiwar socialists in New York. That was a matter of public record in all the newspapers at the time.

Mr. BROWNE. In your league bulletin of September, 1918, after most of the primaries had been held, you stated:

> Gratifying results are being obtained by the league's congressional committee, which is prosecuting an aggressive, nonpartisan campaign in all parts of the country to insure the election to Congress this fall of men of demonstrated loyalty and ability.

Mr. WEST. That is right; yes, sir.

Mr. BROWNE. You remember that appearing?

Mr. WEST. Perfectly.

Mr. BROWNE. And that was true, wasn't it?

Mr. WEST. That was true. That referred to the New York City situation.

Mr. BROWNE. Now what was the result—just give us the specific cases that you were gratified over—which ones they were.

Mr. WEST. There were four cases in New York.

Mr. BROWNE. Now, give them, and who were running.

Mr. WEST. I could not give the details, except in one case that came to my particular attention, of a man named Shiplykoff, as I remember, who was under indictment for sedition or something of that kind, and who was a candidate for Congress. But in those four cases, by making——

Mr. BROWNE (interposing). You have given only one case. Now, give some more.

Mr. WEST. That is all I remember, sir. As I remember, there were four cases.

Mr. BROWNE. Where you got gratifying results?

Mr. WEST. Yes, sir.

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Mr. BROWNE. Well, you state here:

Gratifying results are being obtained by the league's congressional committee, which is prosecuting an aggressive nonpartisan campaign in all parts of the country.

Mr. WEST. That also referred to a very large number of newspaper clippings which came in, indorsing the efforts of the league in regard to the election of a Congress of 100 per cent Americanism.

Mr. BROWNE. All you can give, then, is just one district in New York where you really did have gratifying results?

Mr. WEST. There were four cases, but I don't know who was running, who the candidates were. I never paid any attention to that at all.

Mr. BROWNE. Four in New York?

Mr. WEST. Yes, sir.

Mr. BROWNE. And you don't know where you had gratifying results in any other part of the United States?

Mr. WEST. Except from the tenor of the newspaper clippings which were received.

Mr. BROWNE. Did you write that?

Mr. WEST. I did not write that.

Mr. BROWNE. Who did write it?

Mr. WEST. Mr. Harvey wrote that.

Mr. BROWNE. You hired three speakers, didn't you, to talk on the street corners for the league?

Mr. WEST. No, sir; the league has a department known as the "flying squadron," of street speakers, but to the best of my knowledge not one of them is paid anything. They are all volunteers.

Mr. BROWNE. Well, don't you have what you call street speakers squadrons?

Mr. WEST. Yes, sir; but they are volunteer speakers, not paid speakers.

Mr. BROWNE. They are speaking now, arn't they?

Mr. WEST. Speaking now?

Mr. BROWNE. Yes.

Mr. WEST. Yes, sir; they are speaking now, to the best of my knowledge.

Mr. BROWNE. In the city right on the street corners?

Mr. WEST. Yes, sir. Of course not when the weather is bad.

Mr. BROWNE. Well, I mean right out most every evening.

Mr. WEST. Yes, sir.

Mr. BROWNE. They are not receiving anything?

Mr. WEST. No, sir; not to my knowledge.

Mr. BROWNE. Who are the names—give the names of some of the men that are speaking right on the street corners, right outdoors without any advertised meetings.

Mr. WEST. I could not. That list is kept in the files of the "flying squadron" and I do not know a single one of these speakers. I could not give a name. I could refer, if I was in my office, to the files and find out at any time if such and such a person was speaking by simply going to the files of that bureau. But I don't keep those names in my head.

Mr. BROWNE. Well, who does know about that and has the authority to appoint those speakers?

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Mr. WEST. Mr. Charles A. Bill, the chairman, or the head, of the "flying squadron" bureau.

Mr. BROWNE. What is Mr. Bill's business?

Mr. WEST. He is a broker, I think.

Mr. BROWNE. What do you mean by "broker"?

Mr. WEST. I don't know what his business is. I have never been in his office. I have never seen his place of business, and I have never asked him what his business is, but my impression is that he is a broker.

Mr. BROWNE. A stock broker?

Mr. WEST. A stock broker; yes, sir.

Mr. BROWNE. He does a brokerage business?

Mr. WEST. Yes, sir; or commission merchant—something of that kind.

Mr. BROWNE. Don't you think that the literature that you sent out was somewhat of an exaggeration?

Mr. WEST. Which literature? In what regard?

Mr. BROWNE. The National Security League Bulletin, where you state that you were receiving "gratifying results," and that you were in very great need of more funds all the time to carry on the work. Don't you think those were exaggerations?

Mr. WEST. No, sir.

Mr. BROWNE. You had $50,000 from the Carnegie Corporation that you could call on any time, that you never called for yet, didn't you?

Mr. WEST. We had that, supposedly, in reserve.

Mr. BROWNE. And you were getting in large contributions every time you asked for them—large amounts?

Mr. WEST. We had not asked for any large contributions for quite a considerable period.

Mr. BROWNE. Well, you had many of them since September, when you got out this little bulletin, "The Security League, its past, present and future"?

Mr. WEST. What we wanted?

Mr. BROWNE. I asked you whether you did not have many large subscriptions since that time and before that time?

Mr. WEST. We have had some subscriptons, but I don't remember any large ones after September, 1918.

Mr. BROWNE. Didn't you have right on the eve of the election campaign in October a large number of very large subscriptions?

Mr. WEST. No, sir; we did not have a large number of very large subscriptions that I remember.

Mr. BROWNE. Here is John D. Rockefeller gave you $10,000 September 25.

Mr. WEST. Not 1918, sir.

Mr. BROWNE. No, I see, 1917. That is right.

Mr. WEST. About the only one since October is Mr. Arthur Curtis James. He sent in a check, an installment on his subscrption of $2,000, but I don't recall any large number of large subscriptions since that date.

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Mr. BROWNE. Well, you were sending out a rather exaggerated appeal for funds when you stated in your bulletin that I have referred to here that the—

broad work above outlined depends upon the league having sufficient means to plan its work in advance and carry it forward on a budget system; an annual budget prepared indicates that the approximate cost of the work will be \$1,200,000 per annum.

That was sort of an exaggeration, wasn't it?

Mr. WEST. If we had undertaken the work——

Mr. BROWNE (interposing). I asked you if that was not an exaggeration.

Mr. WEST. It was not an exaggeration for the plan of work which Mr. Menken was very anxious to carry out.

Mr. BROWNE. You have never attempted to carry it out?

Mr. WEST. We never got the money, no.

Mr. BROWNE. And in all your literature you were asking for membership subscriptions?

Mr. WEST. Yes, sir.

Mr. BROWNE. But you were not relying much upon membership subscriptions; you were really relying upon the large donations that you received, were you not?

Mr. WEST. Until we got the Carnegie Corporation contribution we had to rely very largely upon membership fees.

Mr. BROWNE. Well, you got the Carnegie Corporation way before you issued this bulletin in September, 1918, didn't you?

Mr. WEST. Yes, sir.

Mr. BROWNE. You got a great many other large subscriptions before September, 1918?

Mr. WEST. Quite a number.

Mr. BROWNE. So you knew that you were not dependent upon subscriptions, didn't you?

Mr. WEST. We were not at that time.

Mr. BROWNE. Do you know the State superintendent of the State of New York?

Mr. WEST. Of education?

Mr. BROWNE. Yes.

Mr. WEST. No, sir. I know who he is, but I have never met him, to my knowledge.

Mr. BROWNE. What is his name?

Mr. WEST. John H. Finley.

Mr. BROWNE. Was the State superintendent of the State of New York a member of your league—the superintendent of education?

Mr. WEST. I do not know, sir, whether he is an actual member. I think he is a member of the Committee on Organized Education, but whether he is an actually paid member of the league, I don't know.

Mr. CARAWAY. Will you pardon me just a moment? What do you mean by "Committee on Organized Education"? Is that just one of these glittering generalities that you folks deal in so often?

Mr. WEST. It meant the committee that dealt with organized educational institutions.

Mr. CARAWAY. Colleges?

Mr. WEST. Colleges, schools, teachers' institutes, and other educational institutions of that character.

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Mr. CARAWAY. It means nothing else?
Mr. WEST. That is all, sir.
Mr. BROWNE. I wish to call your attention to a few men that contributed in 1918, that gave large contributions. To refresh your memory. I will read them:

Nicholas F. Brady, 54 Wall Street, June 10, 1918	$2,500
Arthur Curtis James:	
February 14, 1918	2,000
April 5, 1918	2,000
July 24, 1918	2,000
September 20, 1918	2,000
November 20, 1918	2,000

Those were about the time of election, weren't they?
Mr. WEST. But those contributions were made in pursuance of a subscription made by Mr. James pretty nearly a year ago, and on which he was to make stated payments, so that those fell due at certain times without any regard to the congressional campaign whatever.
Mr. BROWNE. You spent more money in the summer of 1918 than any other time, didn't you?
Mr. WEST. I couldn't tell, sir.
Mr. BROWNE. Well, don't you know that is a fact
Mr. WEST. Not without looking at the record I could not tell exactly what we spent.
Mr. BROWNE. And Ridley Watts, 44 Leonard Street, New York, February 23, 1918, $10,000.
Mr. WEST. That was way back.
Mr. BROWNE. Ridley Watts, September 20, 1918, $2,600; Ridley Watts, November 14, 1918, $2,400.
That is along in election time, isn't it?
Mr. WEST. It is in November, after election.
Mr. BROWNE. Jacob H. Schiff, 52 William Street, June 5, 1918, $250.
He is interested, as we showed yesterday, in a great many corporations, isn't he?
Mr. WEST. I suppose so, sir.
Mr. BROWNE. Emerson McMillin, 40 Wall Street, New York, May 22, 1918, $1,500.
Mr. WEST. That was also prior to October.
Mr. BROWNE. That was right along in the time when you were making an active campaign to weed out Congressmen, weren't you?
Mr. WEST. It had nothing whatever to do with the congressional campaign.
Mr. BROWNE. Well, weren't your activities—the money that Mr. Watts furnished went into the "boiler plate" a good deal of it, didn't it?
Mr. WEST. Originally, yes; but the boiler plate was not congressional work.
Mr. BROWNE. All this was boiler plate that has been exhibited here.
Mr. WEST. Oh, no.
Mr. BROWNE. Where you speak about Congressmen——
Mr. WEST. That is not boiler plate.
Mr. BROWNE. There is not any of that boiler plate?

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Mr. WEST. No; that is what they call press releases. It costs us about three or four dollars a week to get it out. Boiler plate is the matter that goes to the country weekly. We got out six pages of that and 36 columns, of which only two columns had any reference to congressional campaign.

Mr. BROWNE. Did you get out any boiler-plate material which referred to congressmen or their reference?

Mr. WEST. Out of 36 columns, two columns of it did have reference to the congressional campaign.

Mr. BROWNE. And that was going out all the summer of 1918, wasn't it?

Mr. WEST. It could not go out all the summer, because it only went out twice.

Mr. BROWNE. Well, didn't any of it go out in the summer of 1918—any of the boiler plate regarding Congressmen?

Mr. WEST. There were 2 columns of matter respecting Congress that went out in 1918, out of 36 columns that we used.

Mr. BROWNE. That is what I asked.

Now, Mr. Dupont, the coal man, Wilmington, Del., he contributed—these are all 1918—February 23, $1,000; March 4, $1,000; April 1, $1,000; June 4, $1,000.

Mr. WALSH. In February, 1918, Mr. Dupont agreed to contribute $5,000, as I remember.

Mr. BROWNE. In February what year?

Mr. WEST. In 1918, I think it was. And those payments are in pursuance of installments falling due.

Mr. BROWNE. Now, the American Export & Import Association, in New York, March 13, 1918, contributed $1,850.

Mr. WEST. I think that was the result of a lunch which was given at which various branches of business agreed to contribute so much to the work of the league.

Mr. BROWNE. Who were some of the men in the American Export & Import Association?

Mr. WEST. I have not the slightest idea.

Mr. BROWNE. Now, Rockefeller—John D. Rockefeller's second contribution, April 9, 1918—was $25,000, wasn't it?

Mr. WEST. Yes, sir; but at the time that Mr. Rockefeller——

Mr. BROWNE (interposing). And the Carnegie Corporation, their amount, $50,000, was April 8, 1918; August 29, 1918, $50,000.

Mr. WEST. Those contributions were made purely for educational work. There was nothing said about Congress at any time, and, in fact, the congressional activity, so-called, had not started at that time.

Mr. BROWNE. Well, some of that money went toward paying Dr. McElroy's salary, didn't it—Robert McNutt McElroy?

Mr. WEST. It certainly did, sir.

Mr. BROWNE. And these street speakers that you had on the street?

Mr. WEST. No, sir; not a penny went to any street speakers.

Mr. BROWNE. And James Stokes, part of his contribution was January 1, 1918, and May 9, 1918, he contributed $1,000 on that last day. Charles Hayden——

Mr. WEST (interposing). Mr. Hayden, and I think Mr. Stokes, are in the same category as the men who had agreed early in 1918

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help along the educational work of the league and pay in installments.

Mr. BROWNE. Of course, they must have agreed sometime to pay this money. I am interrogating you in regard to when they paid it and when this Security League got it.

Mr. WEST. Whenever the figures on the books show that the money came in, the league got the money.

Mr. BROWNE. And I was maintaining that they got this in 1918, a great deal of these large subscriptions.

harles Hayden:

February 23, 1918	$1,000
July 24, 1918	1,000
September 20, 1918	500
Total	2,500
. G. White, 43 Exchange Place, New York City, February 14, 1918	1,000

nton G. Hodenpyl, 14 Wall Street, New York City:

October 5, 1918	120
September 14, 1918	120
August 8, 1918	120
July 3, 1918	120
June 7, 1918	120
May 10, 1918	120
January 15, 1918	100
November 20, 1917	120
April 5, 1918	240
Total	$1,180

Who is Anton G. Hodenpyl?

Mr. WEST. I don't know, sir. I never met him.

Mr. BROWNE. You don't know what he represents there?

Mr. WEST. No, sir; I do not.

Mr. BROWNE. John B. Lunger—do you know him?

Mr. WEST. I have met Mr. Lunger.

Mr. BROWNE. His address is 165 Broadway. He contributed:

ohn B. Lunger, 120 Broadway, New York City:

August 23, 1918	$100
April 18, 1917	100
July 27, 1918	100
June 19, 1918	100
June 1, 1918	100
May 10, 1918	100
March 21, 1918	100
February 28, 1918	100
January 25, 1918	100
December 21, 1918	100
Total	$1,000

Do you know what his business is?

Mr. WEST. Yes, sir; he is one of the vice presidents of the Equitable Life Insurance Co.

Mr. BROWNE. Well, now, did you receive any contributions from nglish people; people residing in and living in England; citizens f England?

Mr. WEST. None to my knowledge, unless possibly we have ad a few members, one dollar or five dollar members, but not to my nowledge any large *sums from* anybody living in England.

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Mr. BROWNE. Well, you had a number of members in England, didn't you?

Mr. WEST. I could tell exactly. We probably have got 10 or 12. We have members all over the world.

Mr. BROWNE. You have members in Mexico, too, don't you?

Mr. WEST. I think we have two or three dollar members.

Mr. BROWNE. Do you have any more than dollar members in England?

Mr. WEST. Not to my knowledge, sir. I am not even certain whether we have any members there or not.

Mr. BROWNE. Well, you have had contributions from there, haven't you?

Mr. WEST. No, sir; not to my knowledge.

Mr. BROWNE. Here is a statement from your books: England, 9–24–1918, $100.

Mr. WEST. England?

Mr. BROWNE. Yes; Mrs. Irene Osgood, Dillsboro, North Hamptonshire, England, ninth month, twenty-fourth day, nineteen eighteen.

Mr. WEST. I never remember of having seen that contribution.

Mr. BROWNE. That is on the books correctly, isn't it?

Mr. WEST. If it is on the books it is absolutely correct.

Mr. BROWNE. And didn't you receive during the ninth month, September and October, a good many hundred dollars in contributions?

Mr. WEST. We probably did, sir.

Mr. BROWNE. And more than you ever received in the same length of time during the existence of your league?

Mr. WEST. That I couldn't say without an examination of the books.

Mr. BROWNE. Wasn't there a hurry-up call made by the league to collect money during the summer of 1918, preparatory to the congressional campaign?

Mr. WEST. There was no hurry-up call which had any relation to the congressional campaign. Mr. Orth did send out an appeal for funds for his congressional work.

Mr. BROWNE. Well, now, I read you the statement from the September paper—the September bulletin—where you ask for funds and say that you need money, and that it is going to cost you $1,200,000 a year.

Mr. WEST. That paragraph had been at the bottom of that page of every bulletin from, I think, back in February or March.

Mr. BROWNE. It was there in September, wasn't it, in large italicized print?

Mr. WEST. Yes, sir.

Mr. BROWNE. Now, I want to read you the list of subscribers that came in answer to these appeals. This is taken from your books. These are in addition to the names I have read you:

Mrs. Irene Osgood, Guilsborough Hall, Northamptonshire, England, September 24, 1918, $100.

Adolph Lewisohn, 61 Broadway, New York City, September 21, 1918, $100.

John Henry Hammond, 59 Wall Street, New York City, September 21 1918, $100.

Ridgewood, N. J., branch, September 18, 1918, $212.

Anton G. Hodenpyle, 14 Wall Street, New York City, September 14, 1918, $250.

Eugene D. Hawkins, 20 Exchange Place, New York City, September 11 1918, $100.

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Finley J. Shepard, 120 Broadway, New York City, August 23, 1918, $100.
J. B. Lunger, 120 Broadway, New York City, August 23, 1918, $100.
W. B. Joyce, 115 Broadway, New York City, August 21, 1918, $100.
J. P. Grace, care of W. R. Grace & Co. Bank, New York City, August 17, 1918, 100.
W. B. Reinhart, 100 Broadway, New York City, August 17, 1918, $100.
M. H. Lewis, New York City, August 17, 1918, $100.
Levering & Garrigues Co., New York City, August 17, 1918, $100.
Merritt & Chapman Do. W. Co., New York City, August 10, 1918, $100.
D. J. Carroll, 223 East Twenty-third Street, New York City, August 10, 1918, 100.
Anton G. Hodenpyle, New York City, August 8, 1918, $120.
H. Bridgman, Smith Co., Brooklyn, N. Y., July 30, 1918, $100.
Adolph Lewisohn, 61 Broadway, New York City, July 27, 1918, $150.
Henry Evans, 80 Maiden Lane, New York City, July 26, 1918, $100.
John B. Lunger, 120 Broadway, New York City, July 27, 1918, $100.
R. Fulton Cutting, 32 Nassau Street, New York City, July 26, 1918, $100.
John Henry Hammond, New York City, July 24, 1918, $150.
The Fort Pitt Theater Co., of Pittsburgh, New York Times Building, July 9, 1918, $$284.44.
Anton G. Hodenpyle, 14 Wall Street, New York City, July 3, 1918, $120.
William H. McGee, 15 William Street, New York City, June 27, 1918, $100.
William Reynolds Brown, 18 East Forty-first Street, June 21, 1918, $100.
John B. Lunger, 120 Broadway, New York City, June 19, 1918, $100.
F. E. Fitzpatrick, June 10, 1918, $100.
The Q. & C. Co., 90 West Street, New York City, June 10, 1918, $100.
Anton G. Hodenpyle, 14 Wall Street, New York City, June 7, 1918, $120.
Cleveland H. Dodge, 99 John Street, New York City, June 6, 1918, $100.
A. J. Hemphill, 140 Broadway, New York City, June 1, 1918, $100.
John B. Lunger, 120 Broadway, New York City, June 1, 1918, $100.
Harman August, 61 Broadway, New York City, May 15, 1918, $100.
Mrs. Wertham James, 993 Park Avenue, New York City, May 13, 1918, $100.
J. B. Lunger, 120 Broadway, New York City, May 10, 1918, $100.
Anton G. Hodenpyle, 14 Wall Street, New York City, May 10, 1918, $120.
A. E. Berle, 50 Church Street, New York City, May 10, 1918, $100.
Otton Hackmeyer, Lowell, Mass., May 9, 1918, $100.
George H. Frazier, Jenkintown, Pa., April 26, 1918, $100.
Richardson Breisen, 19 Madison Avenue, New York City, April 26, $100.

Do you know whether he is the father-in-law of Mr. Menken?

Mr. WEST. No, sir; I do not. It is the same name but I don't know the people.

Mr. BROWNE. Thomas E. Milton, Philadelphia, Pa., April 24, 1918, $100.
Morris L. Clothier, Philadelphia, Pa., April 24, 1918, $100.
John Gribble, 1513 Rice Street, Philadelphia, Pa., April 20, 1918, $100.
United Lead Co., April 20, 1918, $100.
Ellis D. Williams, 560 Drexel Building, Philadelphia, Pa., April 19, 1918, $100.
William Hampton Sarnes, 1421 Chestnut Street, Philadelphia, Pa., April 19, 1918, $100.
David Kirschbaum, Philadelphia, Pa., April 19, 1918, $100.
Lewis S. Sadler, Carlisle, Pa., April 19, 1918, $100.
Effingham B. Morris, care of Girard Trust Co., Philadelphia, Pa., April 19, 1918, $100.
Morris R. Bockius, Land Title Building, Philadelphia, Pa., April 19, 1918, $100.
John Cadwalader, 260 South Fourth Street, Philadelphia, Pa., April 19, 1918, $100.
Forrest Ferguson, 1201 Washington Avenue, St. Louis, Mo., April 18, 1918, $100.
Ralph L. Fuller & Co., 2 Rector Street, New York City, April 16, 1918, $100.
Stanley G. Flagg, jr., 1421 Chestnut Street, Philadelphia, Pa., April 15, 1918, $100.
Adolph Lewisohn, New York City, April 13, 1918, $100.
Piermont Paper Co., Piermont, N. Y., April 13, 1918, $100.
Mrs. Edward Walter Clark, Philadelphia, Pa., April 12, 1918, $100.

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Rea Samuel, Broad Street Station, Philadelphia, Pa,, April 11, 1918, $100.
J. Percy Keating, 701 Commercial Trust Building, Philadelphia, Pa., 9pril 10, 1918, $100.
E. M. & F. Waldo, 11 Broadway, New York City, April 5, 1918, $100.
United Paper Board Co, (Inc.), 171 Madison Avenue, New York City, April 5, 1918, $100.
The Hiller & Merz Co., Newark, N. J., April 5, 1918, $100.
Patterson, Boardman & Knapp, 10 Bridge Street, New York City, April 5, 1918, $100.
Acheson, Harden Co,, 66 Leonard Street, New York City, April 2, 1918, $100.
The American Metal Co., 61 Broadway, New York City, March 30, 1918, $100.
American Exporters & Importers Association, New York City, March 29, 1918, $100.
American Exporters & Importers Association, New York City, March 27, 1918, $150.
Miss M. L. Hyde, 20 West Fifty-third Street, New York City, March 27, 1918, $100.
Mercantile Bank of the Americas, 38 Pine Street, New York City, March 27, 1918, $100.
Seaman Paper Co., 200 Fifth Avenue, New York City, March 21, 1918, $100.
John B. Lunger, New York City, March 21, 1918, $100.
A. G. Spalding & Bros., 126 Nassau Street, New York City, March 21, 1918, $100.
Wm. Ewart & Son, New York City, March 20, 1918, $100.
Continental Paper Bag Co., White Hall Building, New York City, March 20, 1918, $100,
Bank of America, New York City, March 20, 1918, $100.
James F. White & Co., New York City, March 20, 1918, $100.
Pratt & Lambert, New York City, March 18, 1918, $100.
I. N. Lewis, 31 Nassau Street, New York City, March 18, 1918, $100.
P. W. Kasabier, New York City, March 18, 1918, $100.
Devar & Reynolds, New York City, March 18, 1918, $100.
Phillip B. Jennings, 233 Broadway, New York City, March 16, 1918, $100.
Gaston, Williams & Wigmore, New York City, March 13, 1918, $100.
The Advance Bag Co., Middletown, Ohio, March 12, 1918, $100.
Schorsch & Co., 500 East One hundred and thirty-third Street, New York City, March 12, 1918, $100.
Columbia Paper Bag Co., Long Island City, New York, March 12, 1918, $100.
Hughes Fawcett, New York City, March 7, 1918, $100.
W. B. Conrad Co., New York City, March 7, 1918, $100.
R. A. Hamilton, 13–15 White Street, New York City, March 6, 1918, $100.
Liddell & Co., 51 White Street, New York City, March 5, 1918, $100.
Henry Glass & Co. 44–48 White Street, New York City, March 5, 1918, $100.
James Elliott & Co., 370 Broadway, New York City, March 5, 1918, $100.
John B. Lunger, New York City, February 28, 1918, $100.
The Importers and Traders National Bank of New York, February 28, 1918, $150.
Philadelphia National Bank, New York Agency, Woolworth Building, February 27, 1918, $100.
Warner M. Leeds, 11 East Sixty-fifth Street, New York City, February 26, 1918, $100.
Frederick B. Van Worst, 25 Broad Street, February 26, 1918, $100.
Bohemian National Alliance, Chicago, Ill., February 25, 1918, $100.
Mrs. J. G. Cochran, 1016 Market Street, Parkersburg, W. Va., February 25, 1918, $100.
Theo. B. Westgate, February 25, 1918, Titusville, Pa., $100.
F. B. Groves, jr., Riverton, N. J., February 23, 1918, $100.
Edw. L. Smith, Fifth Avenue and Sixty-second Street, New York City, February 23, 1918, $100.
McCrum, Watson & Mercer, New York City, February 23, 1918, $100.
V. Everet Mancy, 1785 Massachusetts Avenue, Washington, D. C., February 21, 1918, $100.
Alex Laughlin, First National Bank Building, Pittsburgh, Pa., February 15, 1918, $100.
John Henry Hammond, 59 Wall Street, New York City, February 5, 1918, $100.
Mrs. Franklin Farrel, Ansonia, Conn., February 5, 1918, $100.

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Ira Barrows, 15 Maiden Lane, New York City, January 31, 1918 $100.
John G. Lunger, New York City, January 25, 1918, $100.
Stephen C. Millett, 52 William Street, January 24, 1918, $100.
Irving K. Taylor, 29 Broadway, New York City, January 23, 1918, $100.
James Gayley, 355 Park Avenue, New York City, January 22, 1918, $100.
Franklin Remington, January 21, 1918, $100.
Anton G. Hodenpyl, New York City, January 15, 1918, $100.
Edw. H. Clark, New York City, January 4, 1918, $100.

Mr. BROWNE. Now, don't it seem a little peculiar that there are so many subscriptions, Mr. West, of just $100 each: and don't it prove that there was some efforts made to get $100 subscriptions all around?

Mr. WEST. No, sir; if you will let me explain——

Mr. BROWNE (interposing). I just asked you whether you thought it did?

Mr. WEST. No; it does not. But isn't it fair for me to tell you how these subscriptions were obtained and how they came in?

Mr. BROWNE. I will ask that in a minute. You have answered my question on that. Now, you were mistaken in regard to there not being very many subscriptions during the summer and late in the fall of 1918, weren't you?

Mr. WEST. You asked me if there were any large subscriptions subsequent to October, 1918, and I said I didn't recall any.

Mr. BROWNE. Well, I read some large ones.

Mr. WEST. Except Mr. Arthur Curtis James, which was the only large check that I remember that came in late the year 1918.

Mr. BROWNE. Well, the amount of money that came in in 1918 in $100 subscriptions amounted in the aggregate to a very large amount, didn't it, Mr. West?

Mr. WEST. Quite a sum. I suppose $25,000 or $30,000 maybe.

Mr. BROWNE. And a large proportion of that came in during the summer and fall of 1918, didn't it?

Mr. WEST. It most certainly did, but it had no relation to the congressional campaign.

Mr. BROWNE. Well, I didn't ask you that.

Mr. WEST. No; but I want to tell you, if you will let me, how that money was raised.

Mr. BROWNE. I will get to that in a minute.

Mr. WEST. All right, sir.

Mr. BROWNE. Now, wasn't more than usual effort made by the National Security League to get in as much money as possible during the year 1918? You can answer that yes or no.

Mr. WEST. No; not as compared with other years, except for the Carnegie Corporation. That was a very large effort to get in money.

Mr. BROWNE. I assume in your bulletins that you said—I have showed you in your bulletins which you sent out where you asked for money and stated you were going to expend $1,200,000. Your bulletin showed that for your annual expenditures. Wouldn't that give the impression to people who received that that you needed money badly?

Mr. WEST. The same appeals went out in every bulletin, and have gone out ever since the league was organized.

Mr. BROWNE. Well, show me in some of the bulletins where you made that statement of your budget amounted to $1,200,000, except the bulletin I called your attention to.

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Mr. WEST. You mean way back from the very beginning? W had a little bulletin called "Our Country," which made appeals i funds.

Mr. BROWNE. Did you have in any of your bulletins a statem that the amount of the budget carried indicated that the appro mate cost of the work would be $1,200,000, except the Septem bulletin?

Mr. WEST. Yes, sir.

Mr. BROWNE. Will you please call my attention to it?

Mr. WEST. I certainly will.

Mr. BROWNE. When did you first have such a bulletin?

Mr. WEST. The first statement to that effect appeared with t first edition of the folder which we call the "Past, Present, a Future Activities of the League"; and I think that was back i February or March, 1918—or it may have been April.

Mr. BROWNE. Well, you heard Mr. Lydecker, your president, sa that he knew nothing about that, when I first asked him, didn't yo about any such statement being made?

Mr. WEST. I don't know whether he said that or not.

Mr. BROWNE. And didn't you hear Mr. Menken say, or Mr. Orth— Mr. Orth it was—on the witness stand, that the first he knew ab thing about a budget of $1,200,000 was when Mr. Frear mentioned i in his speech?

Mr. WEST. Yes, sir.

Mr. BROWNE. Well, if that statement had been made in your litera ture that you sent out, these men could not have examined your litera ture very closely, could they?

Mr. WEST. That may, but it was there, Mr. Browne.

Mr. BROWNE. And yet it was not a fact? You never did have a budget?

Mr. WEST. We had a budget but we never had the money. We had an estimate of how we could spend $1,200,000 in a nation-wide educational campaign.

Mr. BROWNE. Well, your executive committee never approved of any budget of that kind, did they?

Mr. WEST. No, sir; they did not.

Mr. BROWNE. You got more money than you needed for your work there, didn't you? You haven't called for the $50,000 that you could get any time?

Mr. WEST. We have, sir.

Mr. BROWNE. And isn't it a fact that you made—the National Security League—a drive during the year 1918, especially dur ing the summer of 1918, to get in just as much money as you could from the subscribers, from members?

Mr. WEST. It made a very earnest effort in 1918 to get money, as it did in every year since I have been there.

Mr. BROWNE. And you made a special effort in the summer of 191 to get $100 subscriptions, didn't you?

Mr. WEST. Not to get $100 subscriptions.

Mr. BROWNE. Well, to get as much as you could?

Mr. WEST. We held a luncheon at which about 400 people were present, representing all the various businesses in New York which had taken part in the preparedness parade, and there an appeal was

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made for funds for the educational work of the league, and such committees were appointed to canvass the various States, and most of the subscriptions which have been read to-day were the result of that effort.

Mr. BROWNE. When was that?

Mr. WEST. I was just trying to recall. It was, in my judgment, in the early spring of 1918. I don't think it was in the winter months. I can get you the exact date, of course, but I don't recall the exact date now.

Mr. BROWNE. What person or persons had the work of going to these men and getting the $100 subscriptions?

Mr. WEST. The man most active in that work was Mr. Lloyd Taylor, who had a great deal to do with the preparedness parade, and who used his same machinery to get this group together again.

Mr. BROWNE. Well, what was his position in the league?

Mr. WEST. He was a member of the executive committee.

Mr. BROWNE. Did you have anything to do with that, with him?

Mr. WEST. No, sir; he did it practically all himself.

Mr. BROWNE. Was that brought up before the executive committee of the league?

Mr. WEST. Oh, yes.

Mr. BROWNE. Did you have a list of names to go over there and say what you thought they should pay—$100, then?

Mr. WEST. The list of people who were asked to come to this luncheon was the list of the committees which had had charge of getting up the various sections of the preparedness parade which had been held some time previously, I think in 1918, and at this dinner, at the luncheon, the various representatives of these trades were asked whether they could pledge as much for the educational work of the league as had been pledged for the financing of the preparedness parade. Some of them said they would; some of them said they could not do as much, but they all said they would do what they could, and these suscriptions, in very large number, as you have read them, especially those from firms and commercial houses, came in as the result of that direct appeal for funds for the educational work of the league.

Mr. BROWNE. Those are the business men of New York City?

Mr. WEST. Absolutely, sir. Nobody outside of New York was there that I know of.

Mr. BROWNE. Were they members of the league, all those men?

Mr. WEST. No, sir.

Mr. BROWNE. That was just prior to your getting out the chart on the Congressmen, wasn't it?

Mr. WEST. It was some time prior to that; how long prior I can't recall.

Mr. BROWNE. Well, just when was it that you got out the chart?

Mr. WEST. I think it was gotten out in July.

Mr. BROWNE. If I might ask Mr. Harvey if he can remember the exact date of the luncheon, I would be very glad to give it to you. Do you remember, Mr. Harvey, the date of that luncheon?

Mr. HARVEY. I think it was January.

Mr. WEST. I am informed it was as early as January. I can get the exact date, Mr. Browne, and put it in the record.

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Mr. BROWNE. And in that, how many of these bulletins. National Security League bulletins, "Past, Present, and Future Work"—how many of those were printed for September?

Mr. WEST. For September? The usual monthly edition is about 5,000.

Mr. BROWNE. And how much is the regular monthly edition of your newspaper called "National Security League Bulletin."

Mr. WEST. That runs between 80,000 and 85,000. That goes to all the members of the league.

Mr. BROWNE. That circulates through the mail like the newspapers?

Mr. WEST. No, sir; it does not. We have to pay penny postage on it.

Mr. JOHNSON. The committee will take a recess until 1.30 o'clock this afternoon.

(Whereupon, at 12 o'clock noon, the committee recessed.)

AFTER RECESS.

The committee reassembled at 1.30 o'clock p. m., pursuant to recess.

STATEMENT OF HENRY L. WEST—Continued.

Mr. WEST. Before the committee begins, may I state that I have learned from an examination of the record that the date on which this luncheon was held was February 7, 1918.

I also desire to correct what may have been an inadvertency in my testimony this morning, when I was asked who was active in regard to the resolution, a copy of which I have in my hand, stating that it is the duty of all educational institutions to inquire into the loyalty of their officers, professors, or instructors, etc. The circular is dated February 12, 1918, and the resolution was adopted by the executive committee on February 6, I stated that I thought that Prof. McElroy was the father or originator of the resolution; I am inclined to think now that it was Prof. William H. Hobbs, who was present at that meeting, and I don't want to state positively that it was Prof. McElroy, when it may have been Prof. Hobbs.

Mr. JOHNSON. By Prof. McElroy you mean the one whom we have referred to all along through the investigation as Dr. McElroy?

Mr. WEST. Yes, sir.

Mr. WALSH. How long were you a resident of the District, Mr. West, before going to New York?

Mr. WEST. Practically all my life, from the time I was about three or four years old.

Mr. WALSH. Are you a voter in New York State?

Mr. WEST. I am not, sir. I voted at the last election.

Mr. WALSH. During your residence here, did you become familiar with the workings, I might say, of Congress?

Mr. WEST. I reported Congress, I should say, for 15 years or longer, for the Washington Post—possibly 20 years.

Mr. WALSH. And, as I understand you, as a result of an unfortunate investment about two years ago, you were looking about for some work to do, and heard of the league from a man on the part of the National Security League, for which position you applied?

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Mr. WEST. Yes, sir.

Mr. WALSH. Before you heard of that opportunity, had you known of the National Security League?

Mr. WEST. I never knew it was in existence.

Mr. WALSH. And before you applied for this position, did you make some inquiry as to its organization and purposes?

Mr. WEST. I did.

Mr. WALSH. And I understood you to say that it was first brought to your attention by Mr. Coolidge, of Boston?

Mr. WEST. Yes, sir.

Mr. WALSH. At the time you were appointed executive secretary of the league it was not contemplated, as far as you know, engaging in any congressional activities?

Mr. WEST. Absolutely none.

Mr. WALSH. And you, as the executive secretary, have been consulted upon various phases of the work in connection with the league's work and program, have you not?

Mr. WEST. Yes, sir.

Mr. WALSH. Has the league a secretary who is not the executive secretary?

Mr. WEST. Yes, sir.

Mr. WALSH. Now, Mr. West, I was unable to be here during the latter part of your testimony before the lunch hour. If you have not already done so, I would ask you to state what were your duties as executive secretary. Not in detail, but generally, if you have not already done so.

Mr. WEST. I have not. My duties were to look after the office and to carry into effect the suggestions which came from the president of the league and from the executive committee. I was not and never have been a member of the executive committee. For instance, if Mr. Menken should come into the office and say that he wanted to hold a congress in Washington in three weeks I had to get up that congress, get out the invitations, make all the arrangements—not, of course, selecting the speakers, but looking after the details. I also saw that the office was—that the work of the office went through promptly and efficiently. In other words, my duties were purely executive. I never participated in the discussions of the committee.

Mr. WALSH. You were consulted about the congress on constructive patriotism that was held at the Willard some three years ago?

Mr. WEST. I was not consulted, but I had all the work to do.

Mr. WALSH. I mean you arranged that outside of selecting the speakers and the topics discussed?

Mr. WEST. Yes, sir.

Mr. WALSH. That was held in February, 1916?

Mr. WEST. No, sir; that was in January, 1917.

Mr. WALSH. That is the one I had in mind—January, 1917. And that continued for two days?

Mr. WEST. Three days, I think.

Mr. WALSH. And in the performance of your duties as executive secretary you would be consulted by members of the various committees, I assume, with reference to certain phases of the work?

Mr. WEST. Not often.

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Mr. WALSH. You were consulted by Dr. McElroy with respect to some of his work?

Mr. WEST. I have never been consulted by Dr. McElroy with respect to his work. My relations with him were in relation to doing the things which, in the way of getting out pamphlets, he brought to me which had been decided upon as being worthy of issue. But I never had any conference with him relating to educational work at all.

Mr. WALSH. The contents of the pamphlets which he brought to you were in no way the product of your mind?

Mr. WEST. Not in any way.

Mr. WALSH. Now, with respect to the activities of the congressional committee, of which Mr. Orth was chairman, Mr. Orth consulted with you from time to time with respect to the chart and to the digest pertaining to the records of Members of Congress?

Mr. WEST. Not so much in relation to the chart as in relation to letters which he wanted to send out, or telegrams which he wanted to send out. I explained this morning that my connection with the chart consisted in giving to Mr. Orth the printed pamphlets of the "For and Against" vote, which we had issued, without any criticism or excitement, in 1916, because he had asked where he could get the votes showing the attitude of Members of Congress on preparedness questions prior to the outbreak of the war, and I told him I had that information in the files, so far as it related to the four measures.

Mr. WALSH. He asked you where he could get the votes of Members of Congress on preparedness measures prior to the outbreak of the war?

Mr. WEST. He wanted to show the mental attitude of men before we went into the war.

Mr. WALSH. But, Mr. West, he asked you where he could the records of votes?

Mr. WEST. Yes; he asked me because he wanted to know.

Mr. WALSH. He wanted to show their attitude? That was the reason he gave?

Mr. WEST. He asked for it and I gave it to him.

Mr. WALSH. What you gave him was something that the league had prepared from the so-called four preparedness measures, 2, 3, 4, and 5, as incorporated in the chart?

M. WEST. Yes, sir.

Mr. WALSH. Did he at that time, or did you at that time, mention the Congressional Record?

Mr. WEST. I think not, sir. I did not.

Mr. WALSH. Did you read the Congressional Record at all, regularly?

Mr. WEST. I did not.

Mr. WALSH. During your work as executive secretary?

Mr. WEST. No, sir; I did not. Occasionally I glanced through it because it came into the office, but I did not read it carefully.

Mr. WALSH. When the chart proof was brought to you, did you notice that it contained the records of Members of Congress as voted "right" and "wrong"?

Mr. WEST. I did, sir.

Mr. WALSH. And you had nothing to do with that designation?

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Mr. WEST. I did not, sir.

Mr. WALSH. Did you make any comment upon it?

Mr. WEST. It was the subject of some discussion in the office.

Mr. WALSH. Did you make any comment upon it?

Mr. WEST. I did.

Mr. WALSH. To Mr. Orth?

Mr. WEST. I did.

Mr. WALSH. Will you state what you said, if you can remember?

Mr. WEST. I told Mr. Orth that I doubted the wisdom of a "right" or "wrong" test designation, and we had considerable argument, he insisting with a great deal of pertinacity that it was right or wrong, and I told him that from his point of view it was unquestionably a question of right or wrong, and that I agreed with him very largely that in the vote—I think I mentioned the declaration of war and the conscription act—that I thought there was a question of right or wrong if the league wanted to assume that responsibility.

Mr. WALSH. And were you present at the meeting of the committee when it was determined by a vote, I understand, of 6 to 5, to permit that designation to remain?

Mr. WEST. I was, sir.

Mr. WALSH. And at that meeting there was some quite lively discussion?

Mr. WEST. There was.

Mr. WALSH. Mr. West, in all of your observations of the work of Congress, both as a newspaper man and as one interested in behalf of certain legislation pertaining to the District, relating to taxation, has it been your observation that the attitude of Members of Congress generally, as expressed by their votes, has been that of men attempting, as best they could, to perform conscientiously an important duty?

Mr. WEST. It has. I have not always agreed with every congressional vote.

Mr. WALSH. That would not be necessary, would it, always to agree with speeches made or with votes cast by Members of Congress, to be able to say that they were attempting to perform conscientiously their duty as a Representative in the American Congress?

Mr. WEST. That is right, sir.

Mr. WALSH. Now, had you observed the workings of the league with reference to the congressional elections, did you see anything which led you to believe that the work of the league was getting beyond merely an educational campaign and was bordering upon supporting the candidacy of certain candidates for Congress, outside of the districts where fusion had been effected?

Mr. WEST. There was unquestionably an attitude of antagonism to men whose votes were not on the chart designated as being right.

Mr. WALSH. That antagonism was expressed not only on the chart but in the letters, telegrams, and press releases that had been sent out?

Mr. WEST. Yes, sir.

Mr. WALSH. In the working of the congressional committee, of which Mr. Orth was chairman, did you at any time see any criti-

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cisms or charges directed against the activities of the committee or the league with respect to congressional contests?

Mr. WEST. I saw the letter of Mr. Bainbridge Colby, which was put in evidence yesterday. I also know, although I am not certain that there was anything in writing, of the feeling of Judge Alton B. Parker and Mr. Frederic R. Coudert on the matter, although I did not talk with either of those men myself.

Mr. WALSH. That was not what I had in mind.

Mr. WEST. I beg pardon.

Mr. WALSH. My question probably was not clear. I meant any criticisms or charges made against the league on the part of candidates with respect to the activities of the congressional committee as representing the league in the congressional elections.

Mr. WEST. I saw the speech delivered by Mr. McCulloch, or the extension of his remarks, on the floor of the House, and I saw, I am almost certain, Mr. Barnhart's letters.

Mr. WALSH. That has been comparatively recent, hasn't it? I meant, before the election, did you see any of these letters that may have been sent to Mr. Orth complaining or criticizing the activities of the league?

Mr. WEST. The letters to which I have referred were before election. I have no recollection of seeing any other letters or any serious complaints from anybody.

Mr. WALSH. Now, in making up that chart you emphasized to Mr. Orth the necessity that the tabulation of votes should be accurate?

Mr. WEST. Absolutely; yes, sir. That was the one thing that I insisted upon. I did not question the definitions in the chart of the various measures, but I insisted that the record itself, so far as it was a transcript from the votes as printed in the Congressional Record, should be accurate.

Mr. CARAWAY. May I ask a question there? Was there any manifest intention upon the part of Mr. Orth not to have them accurate, as you suggested?

Mr. WEST. There was not.

Mr. CARAWAY. Then why were you cautioning him to make them accurate? They are all here; nobody could mistake them.

Mr. WEST. Because the work had been done by a clerk which he had in the office, which clerk had been discharged for—I don't know that it was for inefficiency, but Mr. Orth did not keep him, and I told him as a matter of caution that the chart should be accurate. I didn't loudly protest, but I told him he ought to be very careful.

Mr. CARAWAY. I thought you said that you had protested that they should be accurate?

Mr. WEST. I didn't mean to say "protested"; I had insisted that the chart should be accurate.

Mr. WALSH. Do you know, Mr. West, who that clerk was that tabulated these votes in the first instance?

Mr. WEST. It was a Mr. Capron.

Mr. WALSH. He is not now employed by the league?

Mr. WEST. No, sir.

Mr. WALSH. Did you go over the official records to check off the votes after you received the proof sheet of the chart?

Mr. WEST. I went over, I think, only one. I think it was only one, and that was the selective conscription, the Kahn amendment.

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Mr. WALSH. Now, Mr. West, in your visits to places outside of the ty of New York did you confer with members of the State branches f the National Security League?

Mr. WEST. Yes, sir.

Mr. WALSH. Would you mind stating what places you visited, as ear as you can now recall?

Mr. WEST. From the earliest date of my connection with the ague?

Mr. WALSH. Well, I would say since March, 1918, or during 1918.

Mr. WEST. I think in February, 1918, when we had a congress in hicago, I went from Chicago to Des Moines, Omaha, Moline, Ill., ack to Chicago, and from Chicago to New York. I did not during he summer of 1918 or the fall of 1918 make any tour to the branches. n fact, of late I have been in the office almost exclusively. In the arly days I did go around from place to place visiting branches, ut of late I have not done that kind of work.

Mr. WALSH. Did you at any time visit Milwaukee during 1918?

Mr. WEST. I have no recollection of being in Milwaukee during 1918. If I was, it was about the time I was at Chicago, but I have o recollection of being there last year at all.

Mr. WALSH. Now, at any of these visits that you made during 1918, did you discuss with members of the State branches of the National Security League, or with any of their officers, the matter of the congressional elections?

Mr. WEST. I did not. And the fact that I did not makes it certain to my mind that I did not go anywhere in 1918, except in the early part of the year.

Mr. WALSH. Did you at New York consult with any members of the State branches with reference to congressional activities of the league?

Mr. WEST. No, sir; I have no recollection of that.

Mr. WALSH. Do you recall any members of the State branches of the league visiting New York during the spring, summer, or fall of 1918?

Mr. WEST. There may have been, but it is not fixed definitely in my mind.

Mr. WALSH. You understood the purposes of the league at the time you accepted the position as executive secretary?

Mr. WEST. I did, sir, fully.

Mr. WALSH. Now, were you familiar with the purposes of the league with respect to what it was expected to accomplish when it formed its congressional committee last spring?

Mr. WEST. No, sir.

Mr. WALSH. Did you at any time consult with Mr. Harvey with reference to the publicity matter that was being sent out?

Mr. WEST. I never did, except during the month of August, when I was away from the office pretty much the whole month, and Mr. Harvey's publicity passed through my hands. I glanced at it anyway before it went out.

Mr. WALSH. What was the purpose of it going through your hands, Mr. West?

Mr. WEST. I think that Mr. Harvey wanted to have me look at it, where it had been prepared, for instance, by others and submitted to

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Mr. Harvey. His showing it to me was purely a perfunctory matter, but when he wrote anything of his own I think he submitted it to me rather than have it go out without my knowledge.

Mr. WALSH. Was it for the purpose of securing your approval?

Mr. WEST. It was for the purpose of securing my judgment and approval.

Mr. WALSH. Now, in some of the press releases that were sent out, mention was made of the congressional activity of the league?

Mr. WEST. Yes, sir.

Mr. WALSH. Did you at any time make any suggestions as to changing the language of those releases?

Mr. WEST. I frequently made changes and suggestions of changes.

Mr. WALSH. Do you recall any instance where you made any change with respect to the language, referring to any particular congressional activity?

Mr. WEST. No, sir; I could not specify it unless I had the copy before me; then I could tell.

Mr. WALSH. Who edited these bulletins that were gotten out in December, April, June, September, and December?

Mr. WEST. Do you mean the National Security League Bulletin?

Mr. WALSH. Yes, sir.

Mr. WEST. Mr. Harvey prepared the matter. I glanced through it; it was then sent to the printer, and before it went out it was shown either to Mr. Menken, as the then president, or to Col. Lydecker, for his final approval before it was sent out. It was not submitted in manuscript but in page-proof form.

Mr. WALSH. Do you know how many members the league has?

Mr. WEST. We have card indexes of the names of members between 80,000 and 85,000—about 80,000 names in our office.

Mr. WALSH. When Mr. Menken, in his speech of May 8, 1918, at the Metropolitan Opera House, opened his remarks with this language: "This league, which 150,000 patriotic Americans have joined for national service, owes its origin to the inspired oratory and power to fight by the exact statement of the Hon. Augustus P. Gardner," he rather overstated the membership, did he not?

Mr. WEST. He overstated it. Of course, with the people who have been in and out of the league, I imagine we have carried easily over 100,000 names on our roll.

Mr. WALSH. And those have dropped out of the league after they have joined it?

Mr. WEST. I think our records show that when we send out renewals, which we do every year, our returns are about 66 per cent of people who continue with the league, and, of course, we keep up to the average of our membership by accessions of new members.

Mr. WALSH. If your membership is now about 80,000 to 85,000, and in May, 1918, there were 150,000 patriotic Americans joined the organization, that would be about 65,000 or 70,000 who joined at the same time and who are not now members?

Mr. WEST. I have already said that that figure is, to my mind, an exaggeration.

Mr. WALSH. It is an exaggeration. You would say about 100,000?

Mr. WEST. Yes, sir; practically 100,000.

Mr. WALSH. Then there is between 15,000 and 20,000 who joined at some time or other and who are not now members?

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Mr. WEST. I imagine that it would be in three years and a half that the league has been in existence, or four years, that would be about right.

Mr. WALSH. Now, in respect to that number, was it simply failure to renew their memberships or subscriptions, or were their resignations based upon some dissatisfaction with the activities of the league?

Mr. WEST. The number of resignations in the league have been very small. It is merely a matter of failing to renew, and then we lose a very great many members by their going into the war.

Mr. WALSH. In your June bulletin I read:

Resolved, That it is the duty of every voter to make it his work to prevent anyone from securing election to Congress this fall who has not demonstrated his honest efforts to prosecute the war to a successful end.

That was No. 9, in a set of resolutions submitted by Hon. James W. Gerard, formerly United States ambassador to Germany, at your annual meeting held in the Metropolitan Opera House. Do you recall that?

Mr. WEST. I remember there was a set of resolutions adopted at that meeting, and I have no doubt they are printed accurately there.

Mr. WALSH. I would direct your attention to No. 9, which I have marked there, and ask you, after you have read it, if you recall that being one of the resolutions [handing paper to witness]?

Mr. WEST. I haven't the slightest doubt in the world that that is the case.

Mr. WALSH. Now, Mr. West, I would ask you, as executive secretary of the league and as a gentleman having had wide experience with the doings of Congress, whether, in your opinion, the activity of the National Security League, through its congressional committee, was or was not participating in politics?

Mr. WEST. In the broad sense that relating to governmental affairs or to a branch of our Government under the Constitution is political, I must say that it was political, but it was not partisan politics.

Mr. WALSH. That is the idea I have intended to convey by questions to members and officers of the league who have testified heretofore, and without intending to reflect upon any of the other gentlemen, I think you are the first one that has apparently understood, or cared to understand, the question. You agree that in the broad sense your activities were political, but they were not directed toward any partisan ends?

Mr. WEST. That is exactly the way I view it.

Mr. WALSH. And you did not, as far as your observation goes or your official duties, seek to secure the election of any Member of Congress because he happened to belong to any political party, except possibly in the fusion districts, where you were anxious to get the Socialist candidates?

Mr. WEST. The league did not, to my knowledge.

Mr. WALSH. Well, now, Mr. West, you are familiar with the action of Mr. Orth and his committee in sending letters and telegrams and press statements into the districts now represented by Miss Rankin, Mr. Fuller, of Illinois, Mr. McCulloch of Ohio, and Mr. Barnhart, of Indiana, in a general way?

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Mr. WEST. Only with regard to Mr. McCulloch and Mr. Barnhart. I didn't know—it must have happened during the month I was away from the office—I didn't know about the episode in connection with Miss Rankin, nor do I remember about Mr. Fuller, of Illinois. Mr. McCulloch and Mr. Barnhart I did hear a good deal about.

Mr. WALSH. Mr. West, I would ask you whether, in your opinion, in preparing this chart it would not have been possible to have more accurately have set forth the measures which were voted upon by incorporating the language of the votes, or motions, and then, if it was thought wise, following it by the language which does appear upon the chart?

Mr. WEST. Yes, sir; that could have been done. But I think Mr. Orth thought that he was expressing the substance of the matter that he was referring to.

Mr. WALSH. Did he ever ask your opinion on any one of these measures which he is responsible for appearing in the chart, as to whether he had stated the substance correctly?

Mr. WEST. No, sir; he had selected them practically before I knew about it.

Mr. WALSH. Now, Mr. Orth knew, I assume, that you had lived in Washington for a great many years, and had had newspaper experience and had watched and been closely associated with the work of Congress, didn't he?

Mr. WEST. He did.

Mr. WALSH. And perhaps it is of no special importance—although I would like to have your opinion—if you had had as part of your work the preparation of that chart, would you have issued it in the form, in the exact form, in which it was sent out?

Mr. WEST. Of course that is asking me now what I would have done in the light of events. I will answer your question. I think what we did in 1916, to print a record for and against, but at the same time to state what our view of what "for" and "against" was, would have been a better way to do it than to characterize a man as doing a "right" or "wrong" thing from somebody else's point of view.

Mr. WALSH. Now, Mr. West, it would have been feasible in the few instances in which it occurred, without taking any undue amount of space and without making any extensive examination or investigation, to have added some footnotes, for instance, in the case of the Representative who did not vote and who was excused by unanimous consent, to have added a footnote to that effect, would it not, upon the chart?

Mr. WEST. If there had been comparatively few cases of that kind it would have been feasible to have done that in a chart of that size, but it would have been a rather difficult thing to have accompanied each nonvoting record with an explanation of why the Member did not vote.

Mr. WALSH. I presume you are familiar with the fact that the granting of leaves of absence to Members of Congress is restricted to comparatively few reasons, is it not?

Mr. WEST. Yes, sir; they don't run over two or three a day, if as many as that.

Mr. WALSH. But the reasons, I mean, must be important business, illness in the family, or death in the family?

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Mr. WEST. I had forgotten that fact. I did not know there were any limited number of reasons.

Mr. WALSH. Well, if, for instance, of the number who were recorded as not having voted, 15 were indicated as having been excused by unanimous consent on account of illness in family, that could have been indicated in a footnote by a central key number, could it not?

Mr. WEST. It could have been.

Mr. WALSH. Now, Mr. West, as I understood you, you did not solicit any contributions or subscriptions to the league?

Mr. WEST. I have never asked for a dollar for the league, with the exception that if I—for instance, I was at Knoxville, where they organized a branch, and I did ask 18 or 20 men around the table to become members, and I think they all became $1 or $5 members. But I never went out and solicited money for the league since my connection with it.

Mr. WALSH. I notice that in your June bulletin, 1918, an item reading as follows: "Summit Branch opposes Hearst." And there is set forth a resolution reading as follows:

The National Security League, Summit Branch, N. J., hereby indorses the action of the people of Summit, N. J., in voluntarily excluding the Hearst newspapers from Summit, and urges similar action in all other patriotic communities in the country.

Did you know of that action at the time it was taken?

Mr. WEST. I knew of it after it was taken, when the Summit branch made that report.

Mr. WALSH. Did the league itself encourage or express their approval of actions such as that in other communities?

Mr. WEST. At the time that that action was taken the report of the Summit branch containing that resolution was laid before the executive committee and read, but no action was taken upon the matter.

Mr. WALSH. Now, Mr. West, do you know what the purpose of having these branch offices contribute a quarter of their receipts from dues to the headquarters of the league to the parent organization, so to speak, was for?

Mr. WEST. That was to be their contribution to the overhead charges of the national headquarters for the sending out of literature to places where there were not branches. That regulation or provision was in force at the time that I went to the league, and had been previously adopted.

Mr. WALSH. That is to say, that in return for their contribution they were furnished with whatever literature the league might publish?

Mr. WEST. Yes, sir; and then the money was always to be used in sending literature to places where there were not branches. That was the contribution of the branch toward the general expenses of the headquarters.

Mr. WALSH. But further than furnishing literature to the branches, which they might request or recommend, your league officers in New York did not participate in managing or guiding the affairs of the branches?

Mr. WEST. We did not. We used to send out suggestions or copies of resolutions adopted by the executive committee for activity in the

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branches, along the lines of preparedness, but we did not undertake to manage them in detail.

Mr. WALSH. And you did not attempt to manage or steer, so to speak, their activities—that is, the activities of the State branches or the subbranches of the State branches—along any particular lines with reference to Congressional elections?

Mr. WEST. We did not, sir.

Mr. WALSH. Now, on the other hand, did you attempt to keep track of what the State branches were doing, or any of the local organizations in any of the States with reference to congressional elections?

Mr. WEST. No, sir; I recall no letter—any correspondence on that subject went to Mr. Orth.

Mr. WALSH. But I mean you, as executive secretary, being the executive officer, did you attempt to keep posted, either through your field secretary or through the medium of reports sent you by any of the State officers, as to what any particular branches were doing along the lines of congressional activity?

Mr. WEST. I did not.

Mr. WALSH. So if, for instance, in Milwaukee the league officers were furnishing money—and I am not saying or not predicating this question upon an existing fact, but assuming that in Milwaukee the league, the State branch there, furnished money or furnished paid advertising to a candidate for Congress, and assisted in other ways in sharing the expenses of meetings or in furnishing figures, or in other ways participated actively in a congressional contest; that, I understand, would be something that you would have no particular knowledge of, unless it was directly brought to your attention by the officers of the State branch or by somebody else?

Mr. WEST. That is true, and no such activity was reported to me.

Mr. WALSH. But there was no requirement on the part of the State branches to report to you or to the New York headquarters as to what they were doing along the line of congressional elections?

Mr. WEST. There was not.

Mr. CARAWAY. Is it your idea that the league can escape responsibility for the conduct of the branch by you entering a general denial of lack of knowledge? Is that your idea?

Mr. WEST. I have no idea of escaping responsibility for the league. I am answering the questions as truthfully as I can.

Mr. CARAWAY. Well, I say, is that your idea, that the league can escape responsibility in that way?

Mr. WEST. I have given no consideration to that question whatever. I am simply stating the fact.

Mr. CARAWAY. Nobody said you were not. I have got a right to ask you questions.

Mr. WEST. Certainly.

Mr. WALSH. Mr. West, I think I asked you whether there was any requirement that the branches should keep the headquarters of the league in New York, the parent organization, advised as to what they were doing, either in congressional activities or in the educational campaign?

Mr. WEST. There was not.

Mr. WALSH. But if the branches did participate, or the officials in a congressional campaign and furnished literature bearing the

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signature of the National Security League, Incorporated, and signed by the officer of the State branch, and that had come to your attention, and that literature was directed toward the election or defeat of a candidate for Congress, and contained his name, and asked the voters to elect or defeat him, can you say whether or not, in your opinion, that that being done by your State branch would have been an activity of the National Security League?

Mr. WEST. If such a matter had come to my attention I would have immediately communicated it to Col. Lydecker, the president of the league, for his consideration.

Mr. WALSH. But now I am asking you, Mr. West, if any such thing as that had been done, would you, say, under the system of State branches which you had, and under the plans of operation which you followed in New York, if it would have been the work of the National Security League?

Mr. WEST. It would not have been the work of the national headquarters of the national league itself. However, whether it would have been the work of the National Security League I am unable to say, because I do not know how a lawyer would regard the legal relations between the branch and the headquarters. But unquestionably, if such a thing had come to my attention, I would not have attempted to make a decision as to whether the branch was responsible or not, but would have reported it at once to Col. Lydecker for instructions as to what to do in the matter.

Mr. WALSH. Do you know, as executive secretary, whether any activities of any of the branches along the lines that I have included in my question, ever were brought to the attention of any of the executive officers of the National Security League during the last election?

Mr. WEST. The only time, to my knowledge, I think the Chicago branch had some correspondence with the office, and there was also correspondence with the Knoxville branch relative to Representative Austin, but the branch declined to have anything to do with the matter, and nothing was done.

Those are the only two cases that I recall where the branches figured in the case.

Mr. WALSH. The branch declined to have anything to do with the matter?

Mr. WEST. Yes, sir.

Mr. WALSH. The Chicago branch?

Mr. WEST. I am talking about the Knoxville branch.

Mr. WALSH. I thought you mentioned something about the Chicago branch.

Mr. WEST. There was some letter from Chicago relating to Congressional activities, but we did not take it out from the home office. I don't think the letter was ever answered. Certainly no instructions went out.

Mr. WALSH. Mr. West, was it your idea at the time, as executive secretary of the league, that such a congressional intensive campaign as was being carried on was for the purpose of electing a win-the-war Congress?

Mr. WEST. It was, beyond a doubt.

Mr. WALSH. Did you know at the time that of the 88 Congressmen who sat only in the Sixty-fifth Congress, 68 voted right on both of the

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measures which came before them; 8 voted wrong on both, and ... wrong on one or the other?

Mr. WEST. I have no knowledge of that fact, except as I think appeared in a statement prepared by Mr. Orth?

Mr. WALSH. And contained in your Security League bulletin?

Mr. WEST. Yes, sir.

Mr. WALSH. The executive committee, or members of it, I assume expressed from time to time in their meetings, prior to the congressional election, gratification at the progress being made in the congressional campaign?

Mr. WEST. There was no discussion, as I remember, in the executive committee concerning the progress of the congressional campaign, until the date when the matter came up on the question of the chart.

Mr. WALSH. I meant after the chart. During the campaign, after the chart, did you not hear members of the executive committee express gratification at the progress of the work of the congressional committee of the league?

Mr. WEST. When Mr. Orth put in his reports, every two weeks at the meeting of the executive committee, there was very little discussion about them, if any. I have no recollection of any particular gratification being expressed or otherwise.

Mr. WALSH. You never heard Mr. Orth express any disappointment at the progress this committee was making?

Mr. WEST. No, sir.

Mr. WALSH. And you did hear him make some statements with reference to the reports that he would submit?

Mr. WEST. Yes, sir.

Mr. WALSH. And those were to the effect that the work was progressing favorably?

Mr. WEST. Yes, sir.

Mr. WALSH. That he was apparently satisfied with what was being done?

Mr. WEST. Yes, sir. They were written reports and were made a matter of record.

Mr. WALSH. Now, the work of the Security League, both in its congressional activities and in its other lines of endeavor, were such as to require considerable publicity through the daily press?

Mr. WEST. Yes, sir.

Mr. WALSH. And did you ever make any arrangements with any of the editors of the New York papers for space for its news items or for editorial comment upon the work of the league?

Mr. WEST. I never did, sir.

Mr. WALSH. Do you know whether any such arrangement was made by any officer of the league?

Mr. WEST. Not to my knowledge.

Mr. WALSH. The work was also of such a nature as to require the expenditure of quite a sum of money in order to carry it on as a national proposition?

Mr. WEST. Yes, sir.

Mr. WALSH. Did it ever occur to you that the method employed by the congressional committee, like the congressional committee of your league, might, if carried a few steps further, result in elec-

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tions for Congress being determined solely by the candidates who met with the favor of the league and who would meet the approval of an organization which would spend a larger sum of money than his opponent would be able to spend?

Mr. WEST. It did not occur to me, because I do not believe an organization could be large enough or powerful enough to influence the election of a majority of Congress, outside of a political, purely political, organization.

Mr. WALSH. And yet the purpose of your league was, as an educational campaign, to educate the people so as to influence the election of the majority, wasn't it?

Mr. WEST. The purpose of the league was to create a sentiment which would be in favor of a Congress composed of 100 per cent Americans.

Mr. WALSH. Well, for instance, take the matter of the question relating to, say, the ownership and operation of telephones and telegraphs by the Government—Federal ownership. Couldn't an organization formed along national lines, with avenues of approach to men of influence and wealth, so arrange its activities as to participate in a nonpartisan political way in congressional elections, with the result that that organization could spend such a vast amount of money in publicity and in purposes designed to educate the people and stimulate their sentiment upon the question of public ownership, and with the further result that a candidate not in the favor of that organization would be unable, by reason of lack of funds, to cope with his opponent in that campaign?

Mr. WEST. I do not. And there is in existence to-day an organization known as the National Association of Owners of Railroad Securities, which represents men who have their money in stocks and bonds in railroads, and I do not believe that that organization can forestall Government ownership if the American people decide that that is the best for this country.

Mr. WALSH. But that organization, Mr. West, is confined practically to shareholders or bond owners of railroads, is it not?

Mr. WEST. Yes; but it represents an enormous amount of wealth.

Mr. WALSH. But it is not designed for any patriotic purpose?

Mr. WEST. That is true.

Mr. WALSH. It is a selfish purpose, and it only affects in its operation the interests, the self-interest of its own members. But take an organization organized along patriotic lines, nation-wide in its scope, which carries its activities a few steps beyond the activities of the Congressional committee of your Security League, wouldn't such an organization with the subscriptions of money which it would have been able to secure, become a very powerful influence in the election of Members of Congress?

Mr. WEST. It could.

Mr. CARAWAY. You said there was an organization in existence now, called the Holders of Stocks and Bonds of Railroads, to have them returned to private ownership?

Mr. WEST. I don't know that that is the object of the organization, but I said if it should be the object of the organization, I didn't believe it could influence the opinion of the American people.

Mr. CARAWAY. Well, there is such an organization?

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Mr. WEST. Yes, sir.

Mr. CARAWAY. If that organization was to collect money and get out literature to influence the election of certain Members of Congress, would you say it was pernicious activity in order to influence legislation?

Mr. WEST. I think they would have the right to do that, just as the Anti-Saloon League had a right to get out literature, or any other organization.

Mr. CARAWAY. You would say that that was a perfectly legitimate purpose?

Mr. WEST. I think they would have a right to do it.

Mr. CARAWAY. You would be willing to take the secretaryship in that sort of an organization and help to spread that propaganda, would you?

Mr. WEST. If I believed in their principles, I would.

Mr. CARAWAY. That was not the question I asked. Would you?

Mr. WEST. If I believed in their principles I would.

Mr. CARAWAY. That is evading the question. Would you for hire be willing to take a secretaryship and help spread that kind of propaganda?

Mr. WEST. I don't know. I am inclined to think not.

Mr. CARAWAY. Why not?

Mr. WEST. Because I am not—if you want to go into the question of Government ownership——

Mr. CARAWAY (interposing). I am not trying to go into that. You said it was a perfectly legitimate matter?

Mr. WEST. I think it would be perfectly legitimate, and then I don't see any reason why I shouldn't do it. Now, I will be frank with you about that.

Mr. CARAWAY. This is a party-government country, is it not?

Mr. WEST. Yes, sir.

Mr. CARAWAY. You believe in party government?

Mr. WEST. I do.

Mr. CARAWAY. Don't you think that any organization that calls itself nonpartisan, and works with either party to accomplish some act is the most pernicious that can be injected into American politics—owes allegiance to nobody? Do you believe in that? I say it is pernicious, isn't it?

Mr. WEST. I don't think it is.

Mr. CARAWAY. It owes no allegiance to either party; I will line up with the Republican, Socialist, Prohibitionist, Democrat, if he will travel my way. Do you think that is a high type of American citizen?

Mr. WEST. I think a man may vote the Democratic ticket one year and vote the Republican ticket the next year.

Mr. CARAWAY. I didn't ask you that. We would call him a mugwump. But I asked you if you think that is the right type of American citizenship, to line up with either party in order to help run a propaganda?

Mr. WEST. It would have a right to line up with either party.

Mr. CARAWAY. Do you approve of that kind of politics, that kind of man that has got no principle of party about him? He will just go with any crowd who will help him run his particular propaganda. Do you approve of that kind of a man?

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Mr. WEST. If the propaganda is not a political issue, Mr. Caraway.

Mr. CARAWAY. That is evading the question.

Mr. WEST. I don't want to evade the question. I want to be perfectly frank with you.

Mr. CARAWAY. I say, do you approve of that kind of a man, that will just go with any crowd, provided that crowd will help him to forward his propaganda; who will trade with the Republicans on this side and the Democrats on that; line up with the Prohibitionist or the Socialist, if they will just help along his particular propaganda. Do you approve of that kind of a man?

Mr. WEST. I would go with the party that believed as I believed.

Mr. CARAWAY. That isn't it. I said. Do you approve of that kind of a man?

Mr. WEST. I should say yes, because I would go with the party that believed in accordance with what I thought.

Mr. CARAWAY. You don't believe, then, in party government, do you?

Mr. WEST. I do, sir.

Mr. CARAWAY. A man that doesn't hold any allegiance with any party, who will trade with any party that will help him follow his particular interest—is that what you would do?

Mr. WEST. I would go with the party the principles of which agreed with my personal ideas.

Mr. CARAWAY. But you don't seem to have followed that in your Security League matters. You say you were with the Republicans here, the Democrats there, and forming combinations with the Socalists over here. You were trying to destroy party government, then, weren't you?

Mr. WEST. No, sir.

Mr. CARAWAY. Certainly you were not trying to build it up, were you?

Mr. WEST. We had no desire to build up any party.

Mr. CARAWAY. Nor no desire to destroy it?

Mr. WEST. Nor any desire to destroy it.

Mr. CARAWAY. Now, I want to understand you thoroughly. Any combination would be considered by you as perfectly legitimate, whether it was Socalist, Republican, Anarchist, Democrat, or any other so long as they forwarded that particular propaganda in which you were interested? You would consider that a perfectly legitimate alliance?

Mr. WEST. I can not imagine any anarchist doing anything that I would agree to.

Mr. CARAWAY. Well, I am not so certain about that, but I am not going into that question. I say, you would consider that a perfectly legitimate alignment of yours, would you?

Mr. WEST. If you are asking my personal opinion——

Mr. CARAWAY (interposing). That is it.

Mr. WEST. If two parties had identically the same principles, so that there was nothing to judge between them, as, for instance, high tariff and low tariff——

Mr. CARAWAY (interposing). Oh, don't go into that.

Mr. WEST (continuing). I would then vote for the man I thought was best. I can't make it any better than that.

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Mr. CARAWAY. If you had identically the same principles, there would be no way to choose between the two; but I asked you this question, If you would be willing to align yourself with any faction of any party or with any party regardless of what it is if it simply furnished you a vehicle to carry out some particular propaganda that you wanted to wage? Now, you can answer that yes or no.

Mr. WEST. I would say yes to that. I don't know any other way to answer it.

Mr. CARAWAY. All right. That's all.

Mr. REAVIS. Mr. West, I want to interpose for a moment. I dislike to interrupt Mr. Walsh's examination, but you interested me very much by saying that there was an organization composed of the holders of railroad securities, whose motive was to combat public ownership.

Mr. WEST. I didn't mean to say that. I don't know that that is their purpose, but I said that if an organization, if this organization, which is in existence, should undertake to combat Government ownership, and the American people should decide that that was the best thing for the country, I don't believe that even that powerful organization could overturn the judgment of the people, because when I say that when I have never seen their constitution nor by-laws nor principles, so that I don't know what they were formed for, but it was in my mind as an organization that might have that in mind.

Mr. REAVIS. The thought that I had in mind is not along the line of your answer at all, but because of your association with these individuals and my lack of association with them, I want to ask you for information. Do you believe that any class of people holding railroad securities, whether stocks or bonds, are apprehensive over the question as to whether or not, if Congress should enact legislation for providing for governmental ownership, that they would not be fully protected in the money that they had invested.

Mr. WEST. I have never discussed the question of Government ownership with a railroad man. Certainly they would be protected.

Mr. REAVIS. Then, if there was any propaganda with the idea of defeating what seems to be a sort of trend toward Government ownership, that propaganda would not be inspired by a fear on the part of owners of railroad securities that their investments would be jeopardized by such action?

Mr. WEST. They might think so; I would not.

Mr. REAVIS. That is all I have.

Mr. WALSH. I was asking you with reference to an organization which might be formed, and which might in its activities go a few steps beyond those as outlined here by the officers of the league, who have thus far testified, and I want to ask you this question, having in mind such an organization, presumed to be organized for patriotic purposes, if as a matter of fact the members of that organization, those who contributed most generously to its support, had in view some sinister purpose and by heavy contributions did participate more directly in congressional elections than has been thus far outlined by any of the officers of the league who have testified, it would result in a dangerous condition of affairs, and one which would be

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practically destructive of representative government, would it not, Mr. West?

Mr. WEST. If such an organization could be formed and should be effective, it would.

Mr. WALSH. Well, such an organization could be formed, don't you think?

Mr. WEST. It could be; yes, sir.

Mr. WALSH. And it could claim to be formed for a patriotic purpose, and it could be supported by men who might have very selfish interests at stake; and it could, by going two or three steps further than has been done by the National Security League, bring about that dangerous situation, don't you think?

Mr. WEST. It could.

Mr. WALSH. Now, of course you heard, did you not, Mr. Menken's criticism or characterization of the work of Congress, which he gave the first day he testified in New York?

Mr. WEST. I think I did, sir. I was not in the room all the time, but I think I did.

Mr. WALSH. You have had an opportunity since you have been secretary of the league to write articles, not directly connected with its work, have you not, for the magazines and newspapers?

Mr. WEST. Yes, sir; I have.

Mr. WALSH. I think you wrote a very interesting and informing article about the subject which perhaps I have been accused of having for a hobby, the matter of waste of Government money in publications, did you not?

Mr. WEST. I think that is the only magazine article I have written of late.

Mr. WALSH. Now, do you agree with Mr. Menken's criticism or indictment of Congress, that we Members are appropriating money for our personal purposes; that Congress is composed of "subcaliber men," lacking in vision, regardless of their country's best interests, and profligate with the funds of the Treasury for expenditures designed chiefly to promote the political progress of the individual Congressman?

Mr. WEST. I have never said so, and do not believe so, although, to be perfectly frank, I have reported the Congress when there were lots of river and harbor bills and public-building bills that did not seem to me to have every item on a solid foundation; but, as a whole, I want to say that my experience in Congress, as reporting it year in and year out, led me to have a very cordial relation with the men in Congress, and I hope—I don't know whether you will want to put this in the record or not—I hope the day will come when the legislative branch of this Government will be placed on the pedestal where it belongs, and where I am afraid it is not to-day, through the drift of events. That is my own personal opinion.

Mr. WALSH. I am very glad, of course, to hear you say that, Mr. West, and I assume that it is your opinion that persons who have an opportunity for close observation of the work of Congress will, on the whole, substantially agree with you.

Mr. WEST. I think so.

Mr. WALSH. Of course, the Congress of the United States has not attained the degree of perfection that might be indicated in the soap advertisement of "99 44/100 pure."

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Mr. WEST. I heard Champ Clark deliver a most interesting le one night on the reasons why the House of Representatives had held its own with the Senate, and I agreed very much with hi what he said. Of course, that is all extraneous to this investiga

Mr. WALSH. I was examining you along this line simply to your view, as the executive secretary, as compared with the view the founder and your former president.

Mr. WEST. I have recently written a book on Federal power. there I have tried to show that there ought to be more control by people; through their representatives in Congress, of the rein Government than is the case to-day, and I do that because I ha profound faith in the combined wisdom of the Congress of United States.

Mr. WALSH. Did you at any time during the activity of your c gressional committee have in mind any candidates for reelectio Congress who were in the Sixty-fifth Congress seeking election to Sixty-sixth Congress, were disloyal men?

Mr. WEST. In the sense that they were treasonable or traitorous: n

Mr. WALSH. You felt that possibly some of them may have vot their conscientious convictions, which subsequent events proved to to have been in accordance with the sentiment of the country as whole?

Mr. WEST. I believed that, because if I had been in Congres I should have voted for the declaration of war, and I should ha voted for the conscription act, believing that the voluntary syste would have proven a failure. But that is my own individ judgment.

Mr. WALSH. How about the McLemore resolution? Do you thi a man who voted against the McLemore resolution was inspired b any unpatriotic motive.

Mr. WEST. I would not like to judge that, but I think if I had be in Congress I would not have voted for the McLemore resolution.

Mr. WALSH. But you might also, if you had been in Congress, hav preferred not to have seen that laid on the table, but to have seen t voted upon on its merits?

Mr. WEST. That is very true.

Mr. WALSH. And you have had instances called to your attentio of members who voted just that way?

Mr. WEST. Since this inquiry began I have.

Mr. WALSH. I mean you have had those brought to your attention.

Mr. WEST. Yes, sir; since the inquiry began. I did not know any thing about it before.

Mr. WALSH. Do you think it would have been too much of a ta for an official of your league, at the head of the congressional com mittee, to have read the sentiment of Members of the House of Representatives, as expressed in their speeches, and to have ascertained whether they were in favor of the resolution or opposed to it, and whether they voted against tabling it for the purpose of voting against it on its merits?

Mr. WEST. That might have been done, and in the case of the Senate it was done.

Mr. WALSH. But, of course, in the case of the Senate, the expression of their view was at the time their names were called upon the

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roll call; and in the House it was done, in several instances, in speeches made upon the question of tabling?

Mr. WEST. Yes, sir.

Mr. WALSH. Now, it could have easily been stated in the digest, or in the press releases, or in the information sent to the various Members' districts, that notwithstanding John Doe is recorded as voting for the McLemore resolution upon this chart, the vote, as a matter of fact, was in favor or against tabling it; and in the House during the debate John Doe said he would vote against tabling it for the purpose of voting against the resolution on its merits. That could have been done in the press releases or the digests or literature sent out subsequent to the chart.

Mr. WEST. That could have been done. And I want to say that when the Senate chart was being prepared Mr. Orth called my attention to what he said was a mix up in the Record in regard to the character of the resolution which was finally voted upon, and he asked me if I would go across to the Library and see if the Record was properly stated in the Senate chart, which was the only thing I had to do with the Senate chart. I found that the Record was properly stated, so far as the vote was concerned, but I did find also that there were explanations about the votes which the men who had taken the record has apparently overlooked.

I read 10 or 12 pages of the Record, and I found that Senator Borah, Senator Gallinger, Senator Sherman, and others had made statements, and I told Mr. Orth that those statements materially affected the record, and that no record was right which did not take those statements into consideration, which is the reason why the Senate chart has the different statement than the House chart.

Mr. WALSH. Now, Mr. West, if it was unfair with the Senate, it would be unfair to Members of the House?

Mr. WEST. It should have been done, but I don't think it occurred to Mr. Orth.

Mr. WALSH. No, sir; it did not, he said. But if that situation existed with reference to Members of the House—that they had stated they would vote against tabling it because they desired to vote against the resolution; if those statements existed as a matter of record in the speeches that were made—it was just as unfair to Members of the House to record them as having voted wrong upon the McLemore resolution?

Mr. WEST. Without proper explanation.

Mr. WALSH. And it should not have been done?

Mr. WEST. I agree with that sir; I am sorry to say it, but I agree with it.

Mr. WALSH. Now, Mr. West, it ought not to have been necessary, where you were presenting a record, where you were sending out supplemental literature in the form of press releases and digests and bulletins referring to the record of Members as set forth in the chart, in a spirit of fairness to those Members who had been characterized as voting wrong, it ought not to have been necessary for them to have written to the league and asked them to note that fact, ought it?

Mr. WEST. It ought not; and, of course, if Mr. Orth had ever seen those explanations, they would never have had occasion to write.

Mr. WALSH. But you recall that Mr. Orth said that he was present *during the greater part*, I think he said, of the debate, but not on

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the vote on the McLemore resolution; and I think he admitted hearing one—I think one—possibly two Members express those sentiments during the discussion. And having that knowledge, it perhaps did not occur to him—but having witnessed and heard that it ought not to have been necessary for a Member to have been called upon to direct attention to that fact, and then further to have been obliged to wait until the closing hours of the congressional campaign before that information would be furnished to the voters of his district, do you think?

Mr. WEST. It would have been fairer to have put in the explanation or to have left out the vote altogether.

Mr. WALSH. Well, I don't know whether you care to answer this question, because I don't wish to have you reflect upon your fellow officers of the league, but I would like to ask you, if you do care to express an opinion, do you not think, Mr. West, it would have been wiser on the part of your organization to have selected as chairman of its committee on congressional activities a gentleman who had more familiarity with the work of Congress and the manner in which votes are recorded and in which results are obtained in the House?

Mr. WEST. I ask to be excused from passing judgment on that.

Mr. WALSH. Very well. Now, Mr. West, did you ever hear any of the men who made the larger contributions to the National Security League express any ideas other than an interest in the patriotic purposes of the league to any of its members in your presence?

Mr. WEST. Mr. Walsh, I can truthfully say that I have never had any conversation with any one who has given a substantial sum to the league; nor have I heard any conversation betwen such a person and any officer of the league that I recall now. Most of the men whose names have been given—who have been mentioned as having given to the league—I don't know even by sight.

Mr. WALSH. Now, you say you never had any conversation and you never heard any. Have you ever seen any written communications to the league or its officials, or have you ever received any yourself, expressing any wishes on the part of any of these men who contributed so generously to the league?

Mr. WEST. I never knew of any condition or suggestion of an ulterior motive in connection with any subscription or contribution.

Mr. WALSH. Do you know or can you recall any of these informal lunches which have been held by the officers or members of the league in New York at the Lawyers' Club or the Bankers' Club, or any of these other places where they have had informal gatherings at which any of these heavy contributors were present?

Mr. WEST. No, sir; except the luncheon on February 7, 1918, when they had 400 men there representing all the various businesses and commercial houses in New York.

Mr. WALSH. Were some of these heavy contributors present then?

Mr. WEST. Not men who have given large amounts.

Mr. WALSH. That is what I referred to.

Mr. WEST. No, sir; I never was at any conference of that kind.

Mr. WALSH. Mr. James or Mr. Darth or Mr. Rockefeller, Mr. Perkins, or any of those gentlemen?

Mr. WEST. I know of no conference like that. There was one meeting, one dinner—it was a semipublic dinner—quite a large num-

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ber there—where some of those gentlemen may have been and where the work of the league was discussed, but there was no—it was not a conference in any way.

Mr. WALSH. Were you consulted about the questionnaire, Mr. West?

Mr. WEST. I was not, sir.

Mr. WALSH. Were you shown any of the replies that came in?

Mr. WEST. A great many of them passed over my desk, because they were addressed to the National Security League and opened by me. They were then immediately stamped and sent to Mr. Orth. Mr. Orth's mail, addressed to him personally, was not opened by me, and in that way I saw quite a number of the questionnaires, but I never read them.

Mr. WALSH. I think that is all I have to ask—at least for the present.

Mr. JOHNSON. Mr. West, when was it that you said that you first commenced your operations as a lobbyist under employment by certain citizens of Washington?

Mr. WEST. I couldn't give you the exact date, but some time in 1913, I imagine. It was after a proposition had been laid before the House to repeal the half-and-half principle in the organic act.

Mr. JOHNSON. And the half-and-half principle to which you refer is that half of the operating expenses of the municipality of the District of Columbia are paid by money gathered from local taxation; in other words, by taxing the property in the District of Columbia, and the other half is taken from the Treasury of the United States?

Mr. WEST. I forget the exact wording of the original law. It is a fifty-fifty proposition.

Mr. JOHNSON. I am not undertaking to give the wording, but am undertaking to give the substance of the act of June 11, 1878, to which you have referred as the organic act. I have given the substance of it, have I not?

Mr. WEST. It is, as we used to say, that for every dollar raised by the people the United States would contribute one dollar.

Mr. JOHNSON. You mean by the "people," people of the District of Columbia?

Mr. WEST. Yes, sir.

Mr. JOHNSON. You don't mean raised by contribution, but you mean raised by taxation?

Mr. WEST. Raised by taxation.

Mr. JOHNSON. Then I have substantially, if I may be permitted to use the word, correctly stated the matter?

Mr. WEST. Yes, sir; the half-and-half principle is generally recognized.

Mr. JOHNSON. I asked you if, in substance, I had correctly stated what the half-and-half principle meant?

Mr. WEST. Yes, sir.

Mr. JOHNSON. Many who read this hearing will not know what it means at all.

Mr. WEST. I have found a great many people in Congress who didn't know what the half-and-half means.

Mr. JOHNSON. You have already testified that the money with which you were paid—and you were paid $100 a week—was con-

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tributed, or rather raised, from 60 men in the District of Columbia, who at stated intervals paid $25 each?

Mr. WEST. My recollection is there were between 60 and 70 men in the association that was formed.

Mr. JOHNSON. Who is the man that directly employed you to do this work?

Mr. WEST. The man who sent for me—the idea did not initiate with me—was Mr. William H. Moses, of the firm of William B Moses & Sons, furniture dealers, on F Street.

Mr. JOHNSON. Do you know whether or not he is a large taxpayer in the District of Columbia?

Mr. WEST. I imagine that the firm owns the building on F Street in which it is located, and I imagine also that he owns the house in which he lived. Whether he has any other property or not I don't know.

Mr. JOHNSON. You would include his stock of goods also?

Mr. WEST. Certainly, sir.

Mr. JOHNSON. Did you exercise sufficient care and caution about the matter to ascertain in advance where your money was to come from—your compensation?

Mr. WEST. The names that were originally given to me as the nucleus of this effort were men in whom I had personally the highest confidence; they were men of standing in the community.

Mr. JOHNSON. Who were they?

Mr. WEST. They were mostly business men.

Mr. JOHNSON. What were their names, besides being business men?

Mr. WEST. Samuel W. Woodward, of Woodward & Lothrop; Mr. Dulin, of Dulin & Martin, on F Street.

Mr. JOHNSON. That is three, now.

Mr. WEST. I am trying to remember them. I haven't got the list or I would go over it with you. I don't even know whether it is in existence now.

Mr. JOHNSON. Did you see such a list?

Mr. WEST. Did I see such a list?

Mr. JOHNSON. Yes.

Mr. WEST. I did, about five or six years ago.

Mr. JOHNSON. You can certainly remember more than three of them now, out of 60 or 70?

Mr. WEST. Yes, sir; John Joy Edson was one. I have his letter in my pocket. He is president of the Washington Loan & Trust Co or was, and I think he is yet, and of the Equitable Building Association. I think Mr. Julius Garfinkle, at 1318 F Street, was another.

Mr. JOHNSON. What is his business?

Mr. WEST. Dry goods—ladies' furnishings, would be better. There were a great many people along F Street—business houses.

Mr. JOHNSON. Well, get off of F Street and name some not on F Street.

Mr. WEST. I was trying to locate them by places, because I hadn't thought of the thing for five years. I think—as far as I can remember, the only real estate man in the combination, that I remember, was Mr. Harry Wardman, who is quite a large operator in real estate.

Mr. JOHNSON. The largest in the District of Columbia, is he not?

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Mr. WEST. He is a very large operator. Of course, I have no idea ow what he does. I don't think any banker was in it, except Mr. dson. I don't remember any bankers. They were mostly business en.

Mr. JOHNSON. I am quite sure of that.

Mr. WEST. I think that W. M. Galt & Co., down on Indiana Avenue, was another one.

Mr. WEST. Yes, sir; the jewelers, too. They were on Pennsylvania venue.

Mr. JOHNSON. And real estate owners?

Mr. WEST. Not as such.

Mr. JOHNSON. I say, is that firm or any of them real estate owners?

Mr. WEST. I suppose they own the firm buildings. I would like o give you some more, and I am trying to think of them.

Mr. JOHNSON. They were the sources of your bread and meat at hat time, were they not?

Mr. WEST. I was very glad to undertake the work, Mr. John on, nd I am not ashamed of it to-day, sir.

Mr. JOHNSON. I am not saying anything about that.

Mr. WEST. I did nothing that was at all discreditable in any way.

Mr. JOHNSON. But I was hoping you would remember more than hese that were so important to you at that time of your life.

Mr. WEST. I had nothing to do with the collection of the money.

Mr. JOHNSON. Except to receive it.

Mr. WEST. I received it; and I did know the list at one time.

Mr. JOHNSON. Can you go a little bit further in that list now?

Mr. WEST. Mr. Schutt, the proprietor of the New Ebbitt, was one?

Mr. JOHNSON. You mean the New Ebbitt Hotel?

Mr. WEST. The New Ebbitt Hotel; yes, sir. Possibly Chapin & Sacks, ice-cream manufacturers; but I am not certain about that. I have not attempted to refresh my memory on it.

Mr. JOHNSON. Will you try?

Mr. WEST. I will try, Mr. Johnson.

Mr. JOHNSON. Try now.

Mr. WEST. Suppose you give me a directory. Would that be allowable?

Mr. JOHNSON. Yes, indeed.

Mr. WEST (after consulting the City Directory of Washington, D. C.) I am willing to give you all the statement I can on this matter.

Mr. JOHNSON. Before you go any further than the name of Mr. Schutt, proprietor of the New Ebbitt Hotel, do you recall that Congress ordered an investigation of his conduct as proprietor of that hotel, where the charge was that through the drinks that he was selling at his hotel, at the dining tables, that he was debauching the young men and young women of this city?

Mr. WEST. That must have been after I left Washington.

I think C. G. Cornwell & Son, groceries, was one.

Mr. JOHNSON. Turn your mind on Pennsylvania Avenue and see if you can find anybody down that way that contributed toward it?

Mr. WEST. Nobody between Fourteenth and Fifteenth; nobody between Sixth and Seventh, that I recall—I have mentioned Galt. I don't remember anybody on Pennsylvania Avenue, Mr. Johnson, except Galt.

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Mr. JOHNSON. Let me invite your mind to the holders of what might be called suburban property and see if any name occurs to you. When I say "suburban property," however, I mean property in the District of Columbia.

Mr. WEST. The only person whose name would occur to me, being on Pennsylvania Avenue, was a Mr. Randall.

Mr. JOHNSON. Who is he?

Mr. WEST. But I don't think he was in the combination. I never heard that he was.

Mr. JOHNSON. What Mr. Randall do you refer to?

Mr. WEST. He lives over beyond Anacostia.

Mr. JOHNSON. What is his first name?

Mr. WEST. Arthur.

Mr. JOHNSON. What is his business?

Mr. WEST. He is a real estate man.

Mr. JOHNSON. I would be glad if you would continue to search your memory. We are getting along very well.

Mr. WEST. I see the name here of J. Maury Dove. He was possibly in that.

Mr. JOHNSON. Mr. Dove is one of the poor men of the town or rich men?

Mr. WEST. He is not poor by any manner of means.

Mr. JOHNSON. He is considered a very rich man, is he not?

Mr. WEST. I don't know. He is well off. How much he is worth I haven't the slightest idea. I know he owns his house, and I think he owns the Shoreham Hotel.

Mr. JOHNSON. That is appraised at $1,000,000 for taxable purposes, is it not?

Mr. WEST. I don't know, sir.

Mr. JOHNSON. I can tell you that I understand it is. Go ahead.

Mr. WEST. I think R. P. Andrews, paper dealer, was in that association.

Mr. JOHNSON. He is a large taxpayer here, too, is he not?

Mr. WEST. I imagine so. I see no other names.

Mr. JOHNSON. Before you return to the witness stand to-morrow morning will you communicate with Mr. Moses, from whom you received this employment, and get the names of those 60 or 70 contributors to that fund, so that it may not be necessary to call him before the committee?

Mr. WEST. I will certainly do so.

Mr. JOHNSON. Do you recall whether or not—by the way, how long did your employment as such continue?

Mr. WEST. I could not state accurately.

Mr. JOHNSON. Well, about how long?

Mr. WEST. Certainly a year, and I think if Congress—as I said this morning, if Congress adjourned on the 4th of March, 1915, it ended then.

Mr. JOHNSON. A bill to repeal what has been called the half-and-half has passed the House several times, has it not, and always failed in the Senate?

Mr. WEST. The only actual knowledge I have on the half-and-half repeal bill in the House was the time when it was voted on and it was defeated. That was before I went to New York.

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Mr. JOHNSON. Didn't Senator Root make a speech in the Senate avoring the continuation of the half-and-half during the time of our activities?

Mr. WEST. I don't think Senator Root was in the Senate then. I have no recollection of that.

Mr. JOHNSON. I remember his speech quite well, and I thought it was during your time. Do you recall, during your legislative activities for the people whose names you can not recall, conferring with Senator Root upon the subject?

Mr. WEST. I never did, sir. I don't recall that.

Mr. JOHNSON. During the time of your activities to which we are now referring, did or did you not furnish Senator Gallinger certain data upon which he was to base a speech?

Mr. WEST. I had frequent conferences with Senator Gallinger, who knew fully about the work I was doing. Whether I actually supplied him with data or not I don't know, but I did make an address myself on the half-and-half, which, through Senator Gallinger was printed, but whether I supplied him with data or not I don't remember. If he had asked for it, I certainly would.

Mr. JOHNSON. Well, while we are referring to Senator Gallinger, I wish to ask you whether or not you had any communication, either verbally or in writing, with Senator Gallinger while he was chairman of the Republican national senatorial committee, with the view of interesting him in the National Security League?

Mr. WEST. When he was chairman of the senatorial congressional committee?

Mr. JOHNSON. Well, that is the way I put my question to you, but I will put it to you in a broader way. Did you at any time communicate with Senator Gallinger, either verbally or in writing, with the view of interesting him in the National Security League?

Mr. WEST. I may have done so, but I don't now recall it.

Mr. JOHNSON. If you may have done so, which is the more probable, that you did so verbally or in writing?

Mr. WEST. I have no recollection of holding any conference with Senator Gallinger about the National Security League. If it had happened at all, I should say that I wrote him.

Mr. JOHNSON. Well, will you say that you did not write him relative to it?

Mr. WEST. All I know is that I have no recollection of it at the present time. It must have been a long time ago, if it happened.

Mr. JOHNSON. I will change the question, then, and apply the time as to April, 1918?

Mr. WEST. I might have done so.

Mr. JOHNSON. Now, which do you think is more probable, that you did or did not?

Mr. WEST. I can only say, that if I did so, it has passed entirely out of my mind.

Mr. JOHNSON. Can you tell me whether or not there is a letter on file in the offices of the National Security League in New York, or if there are any letters or copies of letters on file in the offices of the National Security League in New York, between yourself or any other member of the National Security League, with Senator

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Gallinger relative to interesting him in the National Security League?

Mr. WEST. If there is any such letter that was ever written, it is there.

Mr. JOHNSON. I asked you the question if there is any letter there now. I will ask you the additional question if there was ever any such letter there, to your knowledge.

Mr. WEST. If there was, it has passed out of my knowledge. I may have written to Senator Gallinger about the National Security League.

Mr. JOHNSON. Did you ever see a letter, either written to yourself or to anybody else, by Senator Gallinger on the 14th day of April, 1918, in which he used this language: "It seems to me"—speaking of the National Security League—"it seems to me that the scheme that you forwarded is one of the numerous schemes that are being worked these days on various lines, but, of course, I do not want to prejudge the matter. The chances are about 100 to 1 that not only do they want moral cooperation but financial cooperation, and you know what that means. However, there may be something in it, and I know you will watch it closely."

Have you ever seen a letter containing that language written by Senator Gallinger?

Mr. WEST. I absolutely do not recall such a letter.

Mr. JOHNSON. Have you ever been in Mr. Orth's office at 27 Cedar Street, New York?

Mr. WEST. Never, sir.

Mr. JOHNSON. You spoke of a man by the name of Capron. What was it you had to say about him?

Mr. WEST. I think that the tabulation of the votes which Mr. Orth had prepared was done by Mr. Capron.

Mr. JOHNSON. What was his full name?

Mr. WEST. I never knew.

Mr. JOHNSON. Where did he come from?

Mr. WEST. I never knew.

Mr. JOHNSON. Do you know now?

Mr. WEST. No, sir. He came into the office, working under Mr. Orth.

Mr. JOHNSON. Can you get his address?

Mr. WEST. I can from Mr. Orth or from Mr. Worth.

Mr. JOHNSON. Will you furnish the committee with his full name and address?

Mr. WEST. Yes, sir; I will do that.

Mr. JOHNSON. You have said that there is an organization of holders of railroad securities. Where is the home of that organization?

Mr. WEST. I think it is in Baltimore.

Mr. JOHNSON. Do you know who is president of it?

Mr. WEST. No, sir; I do not.

Mr. JOHNSON. Do you know any of its officers?

Mr. WEST. No; all that I know is that I saw a long publicity statement in the New York Times from it not long ago; that such an organization was in existence; and that it represented so many holders of railroad securities.

Mr. JOHNSON. Do you know whether or not Mr. Orth is a member?

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Mr. WEST. I do not, sir. He never discussed it with me.

Mr. JOHNSON. Do you know whether or not any of the large contributors to the National Security League are members?

Mr. WEST. I do not, sir.

Mr. JOHNSON. You and the witnesses who have preceded you have spoken at great length concerning the McLemore resolution.

Mr. WEST. I have not spoken at great length regarding it.

Mr. JOHNSON. The three witnesses who preceded, and yourself, all put together, have spoken of it at length.

Mr. WEST. Yes.

Mr. JOHNSON. I take it for granted that since you were present during the greater part of the testimony that has been given thus far, that you have found that the McLemore resolution consisted of nothing more than a request of the President to do certain things relative to the arming of ships?

Mr. WEST. It was a House resolution; that was all.

Mr. JOHNSON. It was a House resolution and contained nothing more than a request.

Mr. WEST. Yes, sir.

Mr. JOHNSON. And I may use the word "request" in quotations, that it was not directed to the President at all, but simply was a request of him. Do you recall the resolution sufficiently to state?

Mr. WEST. No, sir; I do not.

Mr. JOHNSON. Mr. Orth in his testimony read the McLemore resolution—read part of it, and his reference to it is found on page 816 of part 10 of this hearing. That part read by Mr. Orth reads as follows:

"*Resolved*, That the President be requested to warn all American citizens within the borders of the United States or its possessions or elsewhere to refrain from traveling," and so forth.

I suppose you will accept that, that he read it correctly, and that the McLemore resolution was nothing more or less than a request made of the President?

Mr. WEST. Yes, sir.

Mr. JOHNSON. Mr. Orth has testified that he relied upon you largely for guidance in matters that everybody else would call political, but which he many times declared were not political, because of your wide knowledge in legislative affairs. Have you kept sufficiently well posted to know whether or not the administration, shortly after the defeat of the McLemore resolution, adopted a plan, really suggested by the McLemore resolution, and did keep people off of certain ships by having the State Department refuse them passports?

Mr. WEST. I knew that passports were very difficult to obtain.

Mr. JOHNSON. At what time did it come to your knowledge that passports were difficult to obtain?

Mr. WEST. I couldn't actually say; but I knew after the war broke out they were not allowing people to go abroad unless they had an absolutely good reason to go.

Mr. JOHNSON. And you will endeavor to-morrow morning to furnish the committee with the remaining names of the 60 or 70 who contributed to the funds out of which you were paid?

Mr. WEST. I will, sir.

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Mr. CARAWAY. I want to ask you just a few questions, Mr. West. You saw these bulletins that were in evidence, that were marked "released for publication"?

Mr. WEST. Yes, sir.

Mr. CARAWAY. And went out under Mr. Harvey's direction, I believe?

Mr. WEST. Yes, sir.

Mr. CARAWAY. You think you saw them all except during the month of August, when you were out of the office?

Mr. WEST. I think I did.

Mr. CARAWAY. You then saw the one that went out in which the league was said to be opposing Miss Rankin for the Senate?

Mr. WEST. That is one that I did not see.

Mr. CARAWAY. That went out in October.

Mr. WEST. No, sir; that went out in August, I think you will find.

Mr. CARAWAY. That may be.

Mr. WEST. I asked Mr. Harvey after the testimony was given about Miss Rankin, what about it, and he said it was done during the month I was away, because I didn't recall that particular bulletin.

Mr. CARAWAY. Did you see the telegram that was sent to Arizona opposing the election of Mr. Hayden?

Mr. WEST. I think I did, sir. I think I saw that.

Mr. CARAWAY. Did you see the letter of Mr. Orth to the editors of Montana, inclosing literature to be used against Miss Rankin in her race for the Senate?

Mr. WEST. I did not see that.

Mr. CARAWAY. Did you know that such a letter had gone out, until you heard it testified to here the other day?

Mr. WEST. I did not.

Mr. CARAWAY. Would you have approved the sending out of telegrams and letters of that character if you had known it?

Mr. WEST. I don't know. I don't know what the letter contained.

Mr. CARAWAY. Did you hear it read yesterday?

Mr. WEST. I don't think I recall it accurately.

Mr. CARAWAY. In effect it said that they rested confident that the patriotism and good sense of the people of Montana would not elect a woman whose record was such as Miss Rankin's.

Mr. WEST. That phraseology was in accord with most of the telegrams that went out.

Mr. CARAWAY. They went out, then, with your approval?

Mr. WEST. Those that went out that said that went out with my approval.

Mr. CARAWAY. I believe you will agree, then, that that is rather engaging in political controversies, wouldn't you, Mr. West?

Mr. WEST. It was certainly an effort to secure the election of people who conformed to the National Security League's ideas.

Mr. CARAWAY. Well, that was engaging in politics, then, wasn't it?

Mr. WEST. I have already given my version of it.

Mr. CARAWAY. I am just asking you again. You can answer yes or no.

Mr. WEST. It was engaging in political affairs.

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Mr. CARAWAY. Yes. The question of whether it is partisan or nonpartisan has nothing to do with the question of whether it is engaging in a political contest, has it?

Mr. WEST. We thought it had a great deal to do with it.

Mr. CARAWAY. You think you can be nonpartisan and engage in a political contest without engaging in a political contest?

Mr. WEST. I think there is a distinction.

Mr. CARAWAY. Will you tell me what it is?

Mr. WEST. I have already explained.

Mr. CARAWAY. Well, tell me again.

Mr. WEST. I think that anything which relates to a branch of the Government must of necessity be political. It can't be otherwise. I think there is a distinction to be drawn between an organization which seeks to elect a representative of a party as a party man.

Mr. CARAWAY. Do you think that answers the question, Mr. West? The question was, What is the difference between engaging in a nonpartisan and in a partisan way, as effects one engaging in a political contest? You said there was a difference.

Mr. WEST. I tried to explain what I think the difference is. There is no question about the contest being a political one. Any contest for a seat in the House of Representatives must necessarily be, in a broad sense, political.

Mr. CARAWAY. You heard Col. Lydecker disclaim that he engaged in any political contest, didn't you, Mr. West?

Mr. WEST. I am not certain that I heard him say that.

Mr. CARAWAY. You heard him testify. You heard him say that, didn't you?

Mr. WEST. Yes, sir.

Mr. CARAWAY. You heard Mr. Menken deny it over and over again that they had any political activity, didn't you?

Mr. WEST. Yes, sir.

Mr. CARAWAY. You heard Mr. Orth even disclaim that trying to defeat sitting Members was political, didn't you, or had anything to do with political activities?

Mr. WEST. I heard Mr. Orth say that what we did was not partisan politics.

Mr. CARAWAY. No; and not politics at all. He didn't say partisan.

Mr. WEST. I disagree with him on that when it comes to politics.

Mr. CARAWAY. Did you write a letter, Mr. West, on July 25, 1918, in which you used—a letter addressed to Col. Lydecker—in which you said that a committee composed of citizens of Michigan had that day been appointed by the league to inquire into the Ford situation and determine what is the most effective way to work against him, and what assistance the league can give its branch in Michigan, if desired?

Mr. WEST. I unquestionably did. That is the exact language of a resolution adopted by the executive committee.

Mr. CARAWAY. Of the National Security League?

Mr. WEST. Yes, sir. Whatever I wrote I was quoting from the text of a resolution which, as I remember, was in that phraseology.

Mr. CARAWAY. And the National Security League, by its executive committee, passed a resolution to secure the appointment of a committee of 50 men whose——

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Mr. WEST (interposing). There was no number named.

Mr. CARAWAY. You named it here.

Mr. WEST. Did I? I had forgotten that.

Mr. CARAWAY. Fifty men, whose duty it was to devise some means to defeat Henry Ford for the Senate.

Mr. WEST. When the question arose as to Mr. Ford's candidacy the executive committee decided that it was a matter entirely for the citizens of Michigan to determine, and they passed a resolution to the effect that if anything was done, it should be done by a committee of citizens of Michigan.

Mr. CARAWAY. Why should the National Security League appoint them, if they were to be citizens of the State of Michigan?

Mr. WEST. They were never appointed.

Mr. CARAWAY. Well, let us see what your letter says—"A committee composed of citizens of Michigan"——

Mr. WEST (interposing). That is right.

Mr. CARAWAY (continuing). "Had that day been appointed." "Had" means sometime in the past, doesn't it? "Had been appointed by the league to inquire into the Ford situation to determine what is the most effective way to work against him." So the committee was appointed, wasn't it?

Mr. WEST. There was a committee—Prof. Hobbs suggested the names of some six or eight people.

Mr. CARAWAY. Now, will you pardon me? That is not responsive to the question.

Mr. WEST. I was going to say they were to constitute the committee.

Mr. CARAWAY. Well, you said in your letter the fifty had been appointed. Was that true?

Mr. WEST. Not fifty.

Mr. CARAWAY. A committee composed of citizens of Michigan had that day had been appointed by—maybe I have gone wrong on that "A committee composed of citizens of Michigan had that day been appointed by the league to inquire into the Ford candidacy."

Mr. WEST. A resolution for the appointment of a committee had been passed. There was no question about that.

Mr. CARAWAY. Well, you said here that the committee had been appointed. Now had it been appointed?

Mr. WEST. It had not, sir.

Mr. CARAWAY. Why did you use that language, then, in your letter to Col. Lydecker? You weren't trying to deceive him about it, were you?

Mr. WEST. No, sir; I was not.

Mr. CARAWAY. Then why did you say it had been appointed when now you say it never was appointed?

Mr. WEST. I say that Prof. Hobbs had appointed a committee.

Mr. CARAWAY. You said in your letter to Col. Lydecker that the committee had this day been appointed—had been appointed by the league—that the league had that day appointed a committee. Now, had it?

Mr. WEST. The only committee that was appointed was some names suggested by Prof. Hobbs.

Mr. CARAWAY. Will you pardon me——

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Mr. WEST (interposing). But the league, the executive committee of the league, passed a resolution authorizing the appointment of a committee in the language that is there stated.

Mr. CARAWAY. Well, I don't believe that is quite responsive, Mr. West. Why should you have used the language that the committee had been appointed by the league, if it had not been appointed?

Mr. WEST. I don't know, sir.

Mr. CARAWAY. You have no explanation of that now?

Mr. WEST. I have not. The fact that the executive committee had authorized the appointment of a committee is absolutely true.

Mr. CARAWAY. If that was a matter that was left to the citizens of Michigan, why was the executive committee in the city of New York appointing a committee to devise means to defeat Henry Ford for the senatorship in the State of Michigan?

Mr. WEST. Because the league had been asked to take a stand on the Ford matter.

Mr. CARAWAY. Who asked it?

Mr. WEST. Prof. Hobbs.

Mr. CARAWAY. Have you got letters from Prof. Hobbs asking them to take that stand?

Mr. WEST. I think you will find several of them on file.

Mr. CARAWAY. Will you get them and the replies of the league and have them filed here?

Mr. WEST. I will, sir.

Mr. CARAWAY. Who is Prof. Hobbs?

Mr. WEST. He is connected with the University of Michigan and is a member of the executive committee of the National Security League.

Mr. CARAWAY. Is this the same Prof. Hobbs that Mr. Brown asked Mr. Orth about?

Mr. WEST. He is the same.

Mr. CARAWAY. Something of a talker himself when he gets started, isn't he, Mr. West?

Mr. WEST. I imagine so. I never heard him make a speech.

Mr. CARAWAY. And his remarks ought to be censored, ought they not, if he is to be an instructor of the youth of the land?

Mr. WEST. I have never heard him speak. I have heard remarks attributed to him.

Mr. CARAWAY. Well, you don't agree with that sentiment?

Mr. WEST. I do not.

Mr. CARAWAY. You would not, if you had a son of your own, you would not like to introduce him to the care and guidance of a man expressing such sentiments, would you?

Mr. WEST. I agree with that perfectly.

Mr. CARAWAY. Yet you were perfectly willing to turn him loose on the entire American people and back him with six or seven hundred thousand dollars, wern't you?

Mr. WEST. If you address the remark to me personally, I had nothing whatever to do with it.

Mr. CARAWAY. You did not approve of the league's choice of instructors?

Mr. WEST. I have had my differences with Prof. Hobbs.

Mr. CARAWAY. I think more of you every time you say it. [Laughter.]

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You also have had your very grave differences of opinion with Dr. McNutt McElroy, haven't you?

Mr. WEST. No, sir; I have never had much.

Mr. CARAWAY. But you don't agree with his sentiments?

Mr. WEST. In what regard?

Mr. CARAWAY. Oh, that he said he stood up and told a lot of boys that they were "damned traitors," in the presence of ladies? You don't agree with that, do you?

Mr. WEST. I don't agree with that proposition at all.

Mr. CARAWAY. You don't agree with a man who never remembers having insulted anybody until he gets four or five hundred miles away, do you, and then for the first time discovers that he was a brave man and insulted a whole roomful of boys?

Mr. WEST. I know nothing about that incident.

Mr. CARAWAY. Well, I don't blame you for not answering. I think everybody has their opinion about that.

Do you know "Farmer" Lloyd Taylor?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Do you know his magnificent estate in New Jersey?

Mr. WEST. In the first place it is not in New Jersey.

Mr. CARAWAY. Then the gentleman was mistaken about that?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Where is it?

Mr. WEST. It is in Orange County, N. Y., out in the country.

Mr. CARAWAY. How extensive a farm is that?

Mr. WEST. I have never seen it. I have never been there and don't even know its extent or the number of its pigs, cattle, or chickens.

Mr. CARAWAY. Well, wasn't that astonishing to you, that Lloyd Taylor was a farmer when he was so dubbed. [Laughter.]

Mr. WEST. Oh, no; he says himself he is a farmer.

Mr. CARAWAY. He always smiles, though, when he says it, doesn't he, and everybody else smiles with him?

Mr. WEST. He has no other business in the world, except running his farm, at the present time, that I know of.

Mr. CARAWAY. Then, he is one of these retired gentlemen that Mr. Menken spoke about, isn't he?

Mr. WEST. He is a retired gentlemen.

Mr. CARAWAY. When a merchant is retired, he is no longer a merchant, is he?

Mr. WEST. If he is out of business he is not a merchant.

Mr. CARAWAY. Yet when he is a retired banker, he is no longer a banker, is he, Mr. West?

Mr. WEST. No; if he is not in business.

Mr. CARAWAY. And when he is a retired gentleman what would you say by analogy? I am just talking about this now?

Mr. WEST. A man is a gentleman whether he is in business or out of business, Mr. Caraway.

Mr. CARAWAY. Not a retired gentleman, though. You thought it was intending to try to clothe him with a character that he never possessed, in order to think that his relations with the league? Wasn't that the intention in calling him a farmer?

Mr. WEST. I don't know, sir, about that.

Mr. CARAWAY. I believe you said that your league had been instrumental in having a great many patriotic sermons preached in

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many churches throughout the land. Can you tell us the name of a single preacher that the league procured to preach patriotic sermons?

Mr. WEST. I know that letters went out from the league, but I could not give the names.

Mr. CARAWAY. You said that in your bulletins, and I believe in answer to Mr. Walsh's question you admitted, modestly, that the league had procured the preaching of a great many patriotic sermons.

Mr. WEST. I made that statement on the letters which came into the office. I can not now quote any name of any person.

Mr. CARAWAY. You haven't the remotest idea of a preacher that the league had on its roll to preach patriotic sermons, have you?

Mr. WEST. I have no record now.

Mr. CARAWAY. Have you got one in your New York office?

Mr. WEST. The speakers bureau has got any number of those records.

Mr. CARAWAY. I would like to have you get some of those.

I have forgotten just what particularly valuable services the league extended to the people of America in the fertilizer line.

Mr. WEST. I will tell you that incident. At an annual meeting a man who lived up somewhere in the State, who said that he was a farmer, was very much disturbed over the failure of being able to obtain fertilizers for his crops. He said that he could not—he had potatoes and other things that he could not plant or he could not get any results from, and he wanted to know why the league did not pay some attention to the farmers and help them on this question of getting fertilizer, and we made an effort to do it by writing letters—and in fact, the Department of Agriculture sent a man to see us, to talk over the question as to how the farmers could get more fertilizers for their crops.

Mr. CARAWAY. That was going rather far afield, wasn't it, for a league organized for patriotism?

Mr. WEST. I think it was going far afield, but at this annual meeting this man whose name——

Mr. CARAWAY (interposing). What was his name?

Mr. WEST. I can't think of his name now.

Mr. CARAWAY. Was it John Doe or Richard Roe?

Mr. WEST. The record will show what his name was, because he introduced a resolution on that subject. We did make some effort to get fertilizer.

Mr. CARAWAY. Was Mr. Menken making a speech when the idea of fertilizer occurred to him? Who was addressing the meeting?

Mr. WEST. It was a business meeting.

Mr. CARAWAY. Well, you don't know who it was? What college reported to you that they had weeded out their disloyal professors in obedience to the activities of the National Security League?

Mr. WEST. All the correspondence with the educational institutions on that subject is on file in the office of the league. I could not recall them now.

Mr. CARAWAY. Will you get them?

Mr. WEST. There is a lot of it. We would have to get a whole bundle of correspondence.

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Mr. CARAWAY. Do you know, by the way, since we are talking of correspondence, why is it that there are references to letters in your files that do not appear in the files?

Mr. WEST. I don't know; no.

Mr. CARAWAY. Have they been taken out?

Mr. WEST. I don't know; certainly not with my direction.

Mr. CARAWAY. Who has charge of the correspondence?

Mr. WEST. I am supposed to.

Mr. CARAWAY. Well, who could have gotten any except you?

Mr. WEST. Nobody that I know of, sir.

Mr. CARAWAY. Now, I want to understand you. Col. Lydecker did know about your activities in the Ford matter?

Mr. WEST. My activities in the Ford matter?

Mr. CARAWAY. Well, the activities of the league, whatever they were. I don't mean you personally.

Mr. WEST. Well, yes; because I had no activitiy in the Ford matter myself personally. Col. Lydecker did know, of course, of the action.

Mr. CARAWAY. Of the executive committee in engaging itself to cooperate with anybody who would help to defeat Ford?

Mr. WEST. Yes, sir.

Mr. CARAWAY. What did it mean by, "and what aid it could extend" to any other organization? Did that mean financial aid?

Mr. WEST. No, sir.

Mr. CARAWAY. Did it mean sending speakers?

Mr. WEST. No, sir.

Mr. CARAWAY. What did it mean?

Mr. WEST. The aid which Prof. Hobbs asked us to render was the printing and circularizing of his digest, of what he called Mr. Ford's record. We never gave any financial aid or sent any speakers there.

Mr. CARAWAY. Well, Mr. West, how came you to be writing to Col. Lydecker about this matter, if he already knew all about it, and you had no activity in it?

Mr. WEST. That I don't know, sir, why I should have written to Col. Lydecker except this: That if a meeting of the executive committee was held at which action was taken, and Col. Lydecker in the summer time was up in the country at his hotel, I may have written a letter to him telling him what the executive committee did.

Mr. CARAWAY. Now, I believe, in answer to a question of Mr. Walsh, you said that your annual falling away was about 33 per cent in membership?

Mr. WEST. I think we get--I have not figured it up quite recently, but we were running along about 66 per cent of renewals.

Mr. CARAWAY. That would be about one-third dropping out?

Mr. WEST. Yes, sir.

Mr. CARAWAY. How do you reconcile that with your statement, then, to Mr. Walsh a little bit later that you had still 80,000 active patriots on your roll, and never had had but 100,000 and you are 3 years old?

Mr. WEST. Because the accessions of new members about offset those who do not renew.

Mr. CARAWAY. But, pardon me, you said that your entire membership had never exceeded 100,000?

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Mr. WEST. I don't think it has.

Mr. CARAWAY. And you still have 80,000, and yet you have lost at the rate of 33⅓ per cent of your membership every year for three and one-half years. How do you account for that?

Mr. WEST. I have never figured it out mathematically. I know how many we have now.

Mr. CARAWAY. Well, that is not important.

The questions asked you by Mr. Walsh and the answers that you gave led me to believe that your idea was that the parent league organized in New York could escape responsibility for active participation upon the part of the branch leagues in political contests. Is that your idea, Mr. West?

Mr. WEST. I have not the slightest idea, because the question has never arisen, and I don't know what is the responsibility.

Mr. CARAWAY. I thought you said the question had arisen with reference to the Chicago branch.

Mr. WEST. As to the responsibility of a branch for the parent organization; no, sir.

Mr. CARAWAY. You never have tried to exercice any control or restraint over them?

Mr. WEST. No, sir; the question never has arisen in any way.

Mr. CARAWAY. Well, how are the branches related to the parent league, Mr. West?

Mr. WEST. They are organized, and are sent a list of things which a branch can do.

Mr. CARAWAY. Have you got the instructions anywhere in printed form or letter, that were sent them?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Will you put that in the record? Have you got it with you?

Mr. WEST. I think it is probably in the pile of pamphlets here in the corner.

Mr. CARAWAY. Will you give it to us?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Do you lend it assistance of any kind—the branch?

Mr. WEST. Not often, because the 75 per cent, which the branch keeps for its own use, is supposed to finance its meetings and activities.

Mr. CARAWAY. Do you furnish the literature—I mean the league?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Does it pay for this?

Mr. WEST. Not often. Sometimes it does.

Mr. CARAWAY. Then, all the branch does it merely to distribute your literature and carry out your orders?

Mr. WEST. We don't send them any orders. We send them suggestions, if they have meetings and that kind of thing.

Mr. CARAWAY. Well, your suggestions?

Mr. WEST. Yes, sir.

Mr. CARAWAY. So that, as a matter of fact, it is merely one agency of the league for the purpose of carrying on its activities, isn't it?

Mr. WEST. It is an adjunct of the league for that purpose.

Mr. CARAWAY. And it is organized for that purpose, to be an additional agency to carry out the activities of the league?

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Mr. WEST. It is, sir.

Mr. CARAWAY. And therefore, necessarily, the league would be not only responsible for its misconduct, but would be entitled to praise for any good work it did, wouldn't it? It is your agent?

Mr. WEST. I will answer the question, as I say, that has never been determined as to its responsibility; but it is unquestionably a part of the parent organization.

Mr. CARAWAY. Do you think it is quite fair to organize and equip an agency to carry on the work of the league and make no kind of effort to ascertain whether it is keeping within the bounds of the league's proper activities?

Mr. WEST. If a case was reported to us, where a branch was doing something that seemed to be manifestly at variance with the ideals of the league, that question would at once be taken up by the executive committee.

Mr. CARAWAY. Now you are speaking academically?

Mr. WEST. I am speaking because no such case has ever come up.

Mr. CARAWAY. I say, therefore, you don't know what would have happened, do you?

Mr. WEST. No, sir.

Mr. CARAWAY. That was just an academic expression of opinion?

Mr. WEST. Yes, sir; giving my opinion as to what would happen.

Mr. WALSH. Will you pardon one question there? Mr. West, do you know whether or not this total of expenditures which has been referred to, some $670,000, I think, covering certain activities of the league—the greater part of the activities of the league—included within it the expenditures on the part of any of the State branches, or was that all done by New York?

Mr. WEST. It does not include a dollar spent by any branches; the expenditures reported on our sheet are expenditures entirely in the office in New York.

Mr. WALSH. But those expenditures are, of course, made from the 25 per cent from the State branches? That is, the money that was expended includes receipts from the State branches—the 25 per cent dues which they sent in?

Mr. WEST. The 25 per cent sent in by the branches goes in and shows in our receipts.

Mr. WALSH. And these expenditures include those receipts from the State branches?

Mr. West. Yes, sir; as I understand you.

Mr. WALSH. You sent that money in your general fund?

Mr. WEST. That is right, sir.

Mr. CARAWAY. You say there was no attempt made to control or regulate the branches?

Mr. WEST. No, sir.

Mr. CARAWAY. Why did you make, in answer to Mr. Walsh a minute ago, the statement that you did attempt to manage the branches?

Mr. WEST. I didn't mean to say that we attempt to manage the branches. We did send them suggestions as to activities for their work. That was done very frequently.

Mr. CARAWAY. Now, I find here—somebody has handed me the letter from Mr. Charles D. Orth, chairman of the congressional com-

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mittee of the National Security League, referring to Miss Rankin's campaign for the Senate. It happened to bear date of September 24, 1918. You were back from your summer vacation then?

Mr. WEST. I was.

Mr. CARAWAY. And going out at that time you ought to have seen it, ought you not?

Mr. WEST. I don't remember seeing it.

Mr. CARAWAY. Here is the letter here now, and I am going to read it into the record:

SEPTEMBER 24, 1918.

To the Editor:

SIR: Mr. David C. Coats, national chairman of the National Party, announces from his New York office, according to the newspapers of to-day, that Miss Jeannette M. Rankin is the candidate of that organization for the Senate from your State. In this connection we beg to hand you a statement which was made by this committee in August last. We can not believe that the attitude of Miss Rankin, as shown by the inclosed chart, represents the patriotism and sentiments of the people of the State of Montana.

Very truly, yours,

CHARLES D. ORTH.

This was addressed "to the Editor," so I judge it went to all the editors of papers in Montana. So you ought to have seen it, ought you not?

Mr. WEST. Not necessarily ought to have seen it, because I didn't see everything. I am not certain whether I saw that particular thing or not. [After examining letter.] There is no question but what it went out from our office.

Mr. CARAWAY. There is no question about the genuineness of it?

Mr. WEST. No; not the slightest.

Mr. CARAWAY. I am coming back again to your academic statement that the parent league would have at once checked up the branch league if it had known of its political activities.

Mr. WEST. I didn't say that, sir.

Mr. CARAWAY. Well, you put it again in your own language and let us see what you did say?

Mr. WEST. I said that if any branch had done anything—if knowledge had come to us of any branch doing anything at variance with the policies of the league, or in opposition to what we meant to be the proper course, that that action would have been reported by me to the executive committee.

Mr. CARAWAY. You think that is what you said, Mr. West?

Mr. WEST. I think it is, sir.

Mr. CARAWAY. I think you will be very much surprised when you read it.

Mr. WEST. All right, sir.

Mr. CARAWAY. You made an answer of this kind to Mr. Walsh—I have written it down: "That the league would take no action with reference to the activities of the branches." I wrote that down when you made it. Do you think I am in error about it?

Mr. WEST. I think you are in error about it.

Mr. CARAWAY. If you said that, you want now to repudiate it?

Mr. WEST. I think I distinctly said that I would have reported the case to Col. Lydecker. I think I said that, because that is what

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I would have done if such a case had been reported, which it was not.

Mr. CARAWAY. Well, I think you said both. I think you said one and the other, but the record will show.

I believe you say that you believe in party politics?

Mr. WEST. I believe in party government.

Mr. CARAWAY. Well, you then believe in party politics, don't you, Mr. West?

Mr. WEST. Yes, sir; I must, necessarily.

Mr. CARAWAY. If you were a Member of Congress, you would be affiliated with one of the two great parties, wouldn't you?

Mr. WEST. Yes, sir; unless I was an independent.

Mr. CARAWAY. Well, you wouldn't be that, would you?

Mr. WEST. I would be apt to be pretty independent, I think.

Mr. CARAWAY. You have always been loyal to every employment you have ever had, haven't you?

Mr. WEST. Yes, sir.

Mr. CARAWAY. When you were representing the people in the District of Columbia and trying to keep from paying their share of the taxes, you were loyal to them, weren't you?

Mr. WEST. I certainly tried to save the half-and-half principle to the District of Columbia. There is no doubt about that.

Mr. CARAWAY. And you have been loyal to the Security League?

Mr. WEST. I have, sir.

Mr. CARAWAY. And if you had been elected as a Congressman, as a Republican, you would be loyal to the Republican Party, wouldn't you?

Mr. WEST. Certainly.

Mr. CARAWAY. Then you would have been loyal to your party, wouldn't you?

Mr. WEST. Yes, sir; unless the party did something that I absolutely disagreed with.

Mr. CARAWAY. Well, what could it have done that you would have disagreed with?

Mr. WEST. A good many things might have happened that a man would disagree with.

Mr. CARAWAY. Well, you are not prepared, then, to say that you do believe in party government, are you?

Mr. WEST. I think there must be two parties in a government.

Mr. CARAWAY. In order to have two parties a man must stay with his party, must he not? You can't kick out of the harness every time you don't agree with it and still have a party, can you, Mr. West?

Mr. WEST. You can't do that all the time.

Mr. CARAWAY. Well, about how many times?

Mr. WEST. There was a split in the Democratic Party between Cleveland and the silverites.

Mr. CARAWAY. And a great misfortune overtook the country because of that difference in sentiment.

Mr. WEST. But there must be differences of opinion.

Mr. CARAWAY. The thing I am getting at—your chart criticizes Members of Congress and pronounces their vote wrong who cast their vote in accordance with party alignment.

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Mr. WEST. Yes, sir; and that is a subject of criticism.

Mr. CARAWAY. And following the Chief Executive of the Nation in his wishes. That is true, isn't it?

Mr. WEST. They followed the judgment of the committee reporting the bill.

Mr. CARAWAY. What was the position of the President at the time?

Mr. WEST. I don't know, but they followed the judgment of the committee reporting the bill.

Mr. CARAWAY. I thought you were a parliamentarian—the parliamentarian of this league—and that as an expert on that matter you advised Mr. Orth.

Mr. WEST. I made no claim to being a parliamentarian or an expert.

Mr. CARAWAY. That was one of the honors thrust upon you, though. You heard him do that, didn't you?

Mr. WEST. That may be, but I am not a parliamentarian, and I am not an expert.

Mr. CARAWAY. You modestly decline the crown that Mr. Orth tried to place on your head?

Mr. WEST. I don't think Mr. Orth put any crown on my head.

Mr. CARAWAY. That is my recollection of it, that whenever he couldn't answer, he referred to his friend West as his authority. That opens up a new discussion. I would like to find out just who was the source of information. Everybody so far that has testified has declined it.

Mr. WEST. The source of what information?

Mr. CARAWAY. In making up the chart and determining the relative value of certain votes. Do you know?

Mr. WEST. Yes, sir; I gave to Mr. Orth the pamphlet containing the four votes on preparedness.

Mr. CARAWAY. But you were not responsible for that selection?

Mr. WEST. No, sir; I was not.

Mr. CARAWAY. Nor you were not responsible for the selection of the other four?

Mr. WEST. No, sir; Mr. Orth did that.

Mr. CARAWAY. And you are not responsible for any of the language in the chart?

Mr. WEST. I am not.

Mr. CARAWAY. Well, you heard Mr. Orth say that he consulted you with reference to these difficult matters when he went to make up the chart, didn't you?

Mr. WEST. He did not consult me so much about that as he did consult me regarding things in Congress, and the letters that he wanted to send to people and the replies that were to be made to letters coming in to him—and that sort of thing.

Mr. CARAWAY. That was not, of course, what I asked you, but I am glad to get that information. The thing I asked you was: You heard him say that he always referred to your superior knowledge on congressional matters, did you not?

Mr. WEST. I think he felt a great deal of pride in what he had done.

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Mr. CARAWAY. No; he merely took a good deal of pride in the finished product. But he said that you were the fountainhead of information, as I now recall it. Is that your recollection of it?

Mr. WEST. Not altogether so.

Mr. CARAWAY. Well, if you had been a member of Congress, would you have stayed with your party on, we will say—presuming you had been elected as a Democrat—would you have stayed with your party on the vote on the Kahn amendment to the Hay Army bill of March 23, 1916?

Mr. WEST. I would have voted for the larger Army. Of course this is a hypothetical case, because I am not in Congress and would not have to be called upon. I think a good many Democrats did vote for the Kahn amendment. I am not certain.

Mr. CARAWAY. I am asking you, though, what you would have done, not what they did. You know that the Hay Army bill expressed the views of the President of the United States with reference to the reorganization of the Army at that time?

Mr. WEST. I never went into the details of that at all.

Mr. CARAWAY. Well, thought you said that Mr. Orth talked to you about the acts of Congress.

Mr. WEST. He did not, sir, on those measures at all.

Mr. CARAWAY. Did he talk to you about the Hay-Chamberlain Army bill; that is, the Brandegee amendment to the Hay-Chamberlain bill?

Mr. WEST. He did not. That was in the pamphlet.

Mr. CARAWAY. Did he talk to you about the Cooper amendment?

Mr. WEST. He insisted that the Cooper amendment and the McLemore amendment were two very vital questions.

Mr. CARAWAY. Did he talk to you about the declaration of war against Germany?

Mr. WEST. He told me that those were the eight measures which were going into the chart.

Mr. CARAWAY. No, no; the declaration of war against Germany?

Mr. WEST. Yes; he talked to me about that.

Mr. CARAWAY. And the Kahn amendment to the conscription act: did he talk to you about that?

Mr. WEST. Yes; he told me that had been decided upon, and I agreed with it.

Mr. CARAWAY. Did you discuss with him the similarity of the provision that did go into the bill for the permission for Col. Roosevelt to take a division to France?

Mr. WEST. I never discussed that with him at all.

Mr. CARAWAY. Do you mind expressing an opinion about that, Mr. West? Do you think, if you had been in Congress, you would have voted for that?

Mr. WEST. For the Roosevelt division?

Mr. CARAWAY. Yes.

Mr. WEST. I would not, sir.

Mr. CARAWAY. You think that was as much a violation of that sacred right to raise an army by conscription as the original bill as it came from the committee was, don't you?

Mr. WEST. I think that would have been a very unwise thing.

Mr. CARAWAY. Yet it was included in the bill.

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Mr. WEST. Yes, sir.

Mr. CARAWAY. And you have classed some men as 100 per cent Americans that voted for it, on your chart, haven't you?

Mr. WEST. Voted for the Kahn amendment?

Mr. CARAWAY. No; voted for the provision to let Col. Roosevelt take a division to France.

Mr. WEST. I don't think—that doesn't figure in the chart at all, sir.

Mr. CARAWAY. I know it doesn't, but some of your men would have been knocked off of their 100 per cent Americanism if you had put it into the chart, wouldn't they?

Mr. WEST. Who voted to strike that from the bill?

Mr. CARAWAY. No; to vote it into the bill, the Roosevelt amendment into the bill.

Mr. WEST. That might be.

Mr. CARAWAY. If you would examine it, I think you would find that pretty nearly every one of your 100 per cent Americans voted for the Roosevelt provision, wouldn't you?

Mr. WEST. I don't know, Mr. Caraway.

Mr. CARAWAY. Well, the very patron saint of the league, Gussie Gardner, upon whose suggestion the league was founded, was in favor of that. Did you know that?

Mr. WEST. No, sir; I did not know that.

Mr. HARVEY. There was no dodging of that particular incident in order to crown these 47 men with the laurels of 100 per cent Americanism, was there?

Mr. WEST. There was not, sir.

Mr. CARAWAY. You made what possibly was merely an accidental answer, but one that seemed to me to be rather significant, in answer to Mr. Walsh's question. You said you had never heard of any of these substantial contributors to the funds of the league expressing any ulterior motives.

Mr. WEST. I said that, sir.

Mr. CARAWAY. Does that say exactly what you mean?

Mr. WEST. It means that I never heard anyone say anything about using any money that was given to the league for any purpose that might be considered questionable from any point of view. That is what I meant.

Mr. CARAWAY. Well, why did you qualify it by saying "no substantial contributor"?

Mr. WEST. I didn't mean to qualify it. I won't qualify it now.

Mr. CARAWAY. There was nothing, then, in your mind——

Mr. WEST (interposing). We were talking about large contributions.

Mr. CARAWAY. Yes; I see.

Mr. WEST. That was all.

Mr. CARAWAY. You would not have expected these men to have made any very loud declaration of that kind if they had entertained such a thought, would you?

Mr. WEST. I think, if anything had been going on that was along the line that you suggest, that I would have heard of it, and I never did.

Mr. CARAWAY. Let me ask you a question. Does it strike you at all significant that about 95 per cent of all the money that you

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received by contributions of $100 or more come from men whose names appear among those that are listed in the Directory of Directors?

Mr. WEST. While it is true that subscriptions of over $100 would very largely come from New York, at the same time I think the league has received a very large sum, fully $100,000 or more, in contributions $1, $5, and $25.

Mr. CARAWAY. Well, you know that did not answer the question at all. I asked you if it was at all significant, in your mind, that all the large contributors—or practically all of them—are men interested in corporations that have their domicile in New York City. That doesn't seem at all significant to you?

Mr. WEST. They are the men that have the money?

Mr. CARAWAY. And they were the men who were making some money, weren't they?

Mr. WEST. I imagine so.

Mr. CARAWAY. And they hoped to make some more, didn't they?

Mr. WEST. I don't know.

Mr. CARAWAY. Do you make that statement, Mr. West, that you don't know whether they hoped to make any money?

Mr. WEST. No; I didn't mean to say that. Of course, they hoped to make all the money they could.

Mr. CARAWAY. That is not at all significant to you, is it, that these should have been contributors to this holy organization, the National Security League?

Mr. WEST. No, sir.

Mr. CARAWAY. Don't signify anything to you?

Mr. WEST. No, sir; because there was such a large number of $1 and $5 members at the time.

Mr. CARAWAY. That $1 and $5 man, you have just testified, quit as soon as he found out the company he was keeping.

Mr. WEST. Not at all.

Mr. CARAWAY. I thought you said 33⅓ per cent dropped out every year.

Mr. WEST. I said about two-thirds of them renewed, and I think that was a very remarkable average.

Mr. CARAWAY. And that 66 per cent was very largely renewed by the same people in New York City, wasn't it?

Mr. WEST. No, sir; that is not true.

Mr. CARAWAY. How many members have you got outside of New York and New Jersey, have you any idea?

Mr. WEST. We have about 12,000 members in New York City and Brooklyn; how many we have in New Jersey I couldn't tell without looking at our records. And all the rest of them are scattered all over the United States.

Mr. CARAWAY. How many have you in my State—Arkansas?

Mr. WEST. I don't know. There is a Mr. —I was trying to think of man in Little Rock with whom we have had a good deal of correspondence. We have some members in Arkansas, and the governor of Arkansas, Gov. Brough, was in attendance at one of our gatherings in Chicago.

Mr. CARAWAY. Is he a member of your National Security League?

Mr. WEST. I am not certain whether he is a member.

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Mr. CARAWAY. He is in sympathy with your efforts?

Mr. WEST. He presided at one of our meetings.

Mr. CARAWAY. And made a speech?

Mr. WEST. I think he did, sir. He made an introductory speech. He was not on the program for a set speech.

Mr. CARAWAY. You could not keep him off the program. He made a speech anyway? Do you recall what sentiments he gave utterance to at that remarkable meeting?

Mr. WEST. I can not, sir.

Mr. CARAWAY. Do you know how he came to be present?

Mr. WEST. We sent out invitations. I think they went to the governors and he accepted.

Mr. CARAWAY. And he accepted?

Mr. WEST. Yes, sir.

Mr. CARAWAY. And he came all the way from Arkansas to be present at a meeting of the National Security League in Chicago?

Mr. WEST. He did, sir, to the best of my knowledge. I know he was there.

Mr. CARAWAY. Well, who paid his expenses?

Mr. WEST. He paid his own expenses, so far as I know.

Mr. CARAWAY. You don't know who did, if anybody else paid them?

Mr. WEST. No, sir.

Mr. CARAWAY. And he made a speech?

Mr. WEST. He was asked to preside at one of these meetings and he made a brief introductory speech.

Mr. CARAWAY. What was he introducing?

Mr. WEST. The speakers.

Mr. CARAWAY. He commended the work of the league? That is what I am trying to get at.

Mr. WEST. Yes.

Mr. CARAWAY. Now, you are certain about all that?

Mr. WEST. So far as I remember. I don't know that I have an actual shorthand transcript of what he said.

Mr. CARAWAY. Can you recall some things that he said?

Mr. WEST. No, sir; I can not. It was last February, and I have forgotten.

Mr. CARAWAY. You can remember nobody else from my State that is in the league?

Mr. WEST. No; the only way I would know would be to look up the card index.

Mr. CARAWAY. Well, coming back to the fact that you got 95¼ per cent of all your contributions from certain men, either representing or being directors in corporations in New York, would you infer from that New York has more patriotism than other sections of the country? You would refuse to give any other inference from it; would you get that?

Mr. WEST. I don't know that 95 per cent did come from directors of corporations.

Mr. CARAWAY. If that is correct, would you say that the representatives of these corporations had more patriotism than people in other sections of the country?

Mr. WEST. Not necessarily so, sir.

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Mr. CARAWAY. Well, they either had more interest or more patriotism, one of the other, didn't they, in that thing that you were doing! Now, which was it?

Mr. WEST. They had an interest, I think, in what we were doing!

Mr. CARAWAY. Well, what kind of an interest? A patriotic interest?

Mr. WEST. I think so, sir.

Mr. CARAWAY. Then you think they had more patriotism than other sections of the country?

Mr. WEST. No, sir.

Mr. CARAWAY. Then how do you account for the fact that they gave practically all the money, Mr. West?

Mr. WEST. Because the meetings which we held in New York, and the fact that the men connected with the organization were in New York, gave them an opportunity to know of the work which was being done.

Mr. CARAWAY. Oh, Good Lord, you didn't keep it any secret about what you were doing, so that New York alone found that out, did you?

Mr. WEST. Not at all.

Mr. CARAWAY. Anybody that could run and read could find out what you were doing, couldn't they?

Mr. WEST. That depends altogether upon the publicity which the work of the league got in other localities.

Mr. CARAWAY. Well, that was your special care, to see that it got publicity?

Mr. WEST. We tried to give it publicity by doing all the work we did in telling about the work we were carrying on.

Mr. CARAWAY. You sent out tons and tons of boiler plate, didn't you?

Mr. WEST. No, sir; not tons and tons of boiler plate.

Mr. CARAWAY. Are you certain about the accuracy of that statement, that you did not send out tons of boiler plate?

Mr. WEST. That would have to be a matter of mathematical calculation as to how much so many columns of metal sent to so many papers weighed. I don't know whether it was tons and tons or not.

Mr. CARAWAY. So, then, you didn't mean to contradict that statement?

Mr. WEST. No; I did not. It might have been.

Mr. CARAWAY. It was merely fencing?

Mr. WEST. No; I didn't think from purely the weight of metal. We sent out tons and tons of literature. There is no question about that.

Mr. CARAWAY. And everybody had an opportunity to see the good work you were carrying on?

Mr. WEST. We hoped so.

Mr. CARAWAY. And judge of the high motives that inspired you, because you proclaimed that on all occasions?

Mr. WEST. We took occasion to say what we were doing.

Mr. CARAWAY. You took occasion at all times to say that it was purely from patriotic motives?

Mr. WEST. Yes, sir.

Mr. CARAWAY. What has ever impelled you people to so continually hold up the fact to the public that you were inspired solely by

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patriotic motives? Were some people accusing you of being otherwise inspired?

Mr. WEST. Not to my knowledge.

Mr. CARAWAY. Then why did you keep on proclaiming it?

Mr. WEST. I don't know that we particularly proclaimed it.

Mr. CARAWAY. Well, you shouted it just as loud and in as big headlines as you could to proclaim it.

Mr. WEST. It was good, patriotic work that we were doing.

Mr. CARAWAY. Good, patriotic work; is there any other kind of patriotic work?

Mr. WEST. No, sir.

Mr. CARAWAY. You know you keep qualifying your answers, Mr. West.

Mr. WEST. Well, I will take that word out.

Mr. CARAWAY. You have no explanation, then, in the light of your subsequent answer that you sent out tons of literature, patriotic literature, that the responses came almost wholly from certain interests in New York City? That is the financial responses.

Mr. WEST. The largest contributions to the league were unquestionably in New York.

Mr. CARAWAY. You draw no inference from that?

Mr. WEST. I do not.

Mr. CARAWAY. You are absolutely without suspicion, aren't you?

Mr. WEST. I have no reason to have any suspicion, Mr. Caraway.

Mr. CARAWAY. Those things don't excite suspicion in your mind at all, do they, Mr. West?

Mr. WEST. There is nothing at all to excite suspicion.

Mr. CARAWAY. There is nothing at all peculiar that the New York corporation director and his lawyers should have responded so liberally and the rest of the country have been so niggardly in their contributions?

Mr. WEST. Not "so niggardly"; but I repute the large amount of contributions from New York——

Mr. CARAWAY (interposing). Ninety-three or ninety-four per cent of them came from New York, didn't they?

Mr. WEST. That is, of the contributions over $100.

Mr. CARAWAY. Yes; and they are the ones that counted, weren't they?

Mr. WEST. They were the ones that counted.

Mr. CARAWAY. They were the ones that sent up the pointer when they dropped into the till, weren't they, Mr. West?

Mr. WEST. They were very welcome.

Mr. CARAWAY. Indeed they were the ones that brought the real smile?

Mr. WEST. Not so much, because we were far more anxious to extend the organization in membership, and I would rather have had one hundred $1 members than one $100 member.

Mr. CARAWAY. Then why did you, then, when you wanted to raise a fund, get the directory of directors to pick out the names, if you wanted small contributions?

Mr. WEST. Because that was sent out in the hope of getting this money.

Mr. CARAWAY. Of getting big contributions?

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Mr. WEST. Yes, sir; good-sized contributions.

Mr. CARAWAY. None of them were received reluctantly?

Mr. WEST. Not at all, sir.

Mr. CARAWAY. Did you know there was a condition attached to that $150,000 contribution by the Carnegie corporation?

Mr. WEST. I did not.

Mr. CARAWAY. You never heard of that?

Mr. WEST. I never heard of that, sir. I had nothing to do with that contribution.

Mr. CARAWAY. I believe you said you had nothing to do with the raising of the funds.

Mr. WEST. No, sir.

Mr. CARAWAY. Did you know anything about the difference of opinion between Mr. Orth and some other members of the league when he wanted to take the directory of directors and send out appeals to them separately, as a class?

Mr. WEST. There was a discussion on that subject.

Mr. CARAWAY. And they overruled Mr. Orth?

Mr. WEST. They did, sir.

Mr. CARAWAY. And he got mad?

Mr. WEST. Not that I know of.

Mr. CARAWAY. Well, did you hear him testify here that he was angered at their course?

Mr. WEST. I did not.

Mr. CARAWAY. He was the man who had dealt with these people up and down a certain street, wasn't he, Mr. West, and he knew where money could be had for certain purposes better than you did, didn't he?

Mr. WEST. I suppose he would know better than I did, because I didn't know.

Mr. CARAWAY. And he wanted to cultivate the field that seemed to him to be most likely to yield revenue, didn't he, based on his experience?

Mr. WEST. The fact is, that Mr. Orth's sending out an appeal for special work was entirely out of harmony——

Mr. CARAWAY (interposing). And you don't know anything about that?

Mr. WEST. No, sir.

Mr. CARAWAY. Your statement made that you were rather proud of the fact that you had been a lobbyist here in the interest of the sacred half and half still stands, don't it, Mr. West?

Mr. WEST. I have nothing to apologize for what I did in that work.

Mr. CARAWAY. Did you tell a single Member of Congress, while you were engaged in it, that you were on the pay roll of certain people here in the District of Columbia?

Mr. WEST. I told Members with whom I spoke that I came there as the representative of the people of the District of Columbia, and there would have been no necessity for the work which I did if there had been a Delegate on the floor of the House from the District, which I think there ought to be. I think that ought to happen.

Mr. CARAWAY. When you say that you came representing the people of the District of Columbia, now, that was not quite accurate, was it, Mr. West?

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Mr. WEST. Well, not the entire people of the District of Columbia.

Mr. CARAWAY. No; 68 of them who had gone into their pockets for this patriotic work was the sole number that you represented, wasn't it?

Mr. WEST. Yes, sir.

Mr. CARAWAY. Now, you called on me one time, didn't you, Mr. West?

Mr. WEST. Very likely.

Mr. CARAWAY. You never disclosed the fact that you represented Mr. Schutt and John Joy Edson and other people to me when you called on me, did you?

Mr. WEST. I don't know what I said.

Mr. CARAWAY. Well, all right. I think that is all.

Mr. JOHNSON. Before the committee adjourns I want to call attention to the fact that part 11 of the hearings as printed has printed on the face of it that it was taken on January 11, when in fact it was taken on January 18, so that if the question should come up it will be known hereafter that it was a mistake of the printer.

(Whereupon, at 5 o'clock p. m., the committee adjourned until 10 o'clock a. m., Wednesday, January 22, 1919.)

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